

Maloney  
McKinney  
Moakley  
Morella

Reynolds  
Sisisky  
Tucker  
Waldholtz

Ward  
Wilson

□ 1444

Mr. HORN, Ms. DUNN of Washington, and Mr. THOMAS changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. WARD. Mr. Chairman, during rollcall vote No. 641 on H.R. 2126 I was unavoidably detained. Had I been present I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 641.

## PERSONAL EXPLANATION

Mr. PETRI. Mr. Chairman, I ask that a statement appear in the RECORD following rollcall 641 indicating that, though I was recorded as voting "aye" it was my intention to vote "no," on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. DORNAN].

The question was taken; and the Chair announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. DORNAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 191, not voting 17, as follows:

[Roll No. 642]

AYES—226

Allard	Clinger	Gallegly
Archer	Coble	Ganske
Army	Coburn	Gekas
Bachus	Collins (GA)	Gillmor
Baker (CA)	Combust	Goodlatte
Baker (LA)	Cooley	Goodling
Ballenger	Costello	Goss
Barcia	Crane	Graham
Barr	Crapo	Gutknecht
Barrett (NE)	Cremeans	Hall (OH)
Bartlett	Cubin	Hall (TX)
Barton	Cunningham	Hamilton
Bateman	Danner	Hancock
Bereuter	Davis	Hansen
Bevill	de la Garza	Hastert
Bilirakis	Deal	Hastings (WA)
Bliley	DeLay	Hayes
Boehner	Diaz-Balart	Hayworth
Borski	Dickey	Hefley
Browder	Doolittle	Heineman
Brownback	Dornan	Herger
Bryant (TN)	Doyle	Hilleary
Bunn	Dreier	Hobson
Bunning	Duncan	Hoekstra
Burr	Ehlers	Hoke
Burton	Emerson	Holden
Buyer	English	Hostettler
Callahan	Ensign	Hunter
Calvert	Everett	Hutchinson
Camp	Ewing	Hyde
Canady	Fields (TX)	Inglis
Chabot	Flanagan	Istook
Chambliss	Forbes	Johnson, Sam
Chenoweth	Fox	Jones
Christensen	Frisa	Kanjorski
Chrysler	Funderburk	Kaptur

Kasich	Neal	Skelton
Kildee	Nethercutt	Smith (MI)
Kim	Neumann	Smith (NJ)
King	Ney	Smith (TX)
Kingston	Norwood	Smith (WA)
Klecza	Nussle	Solomon
Klink	Oberstar	Souder
Knollenberg	Ortiz	Spence
LaFalce	Orton	Spratt
LaHood	Oxley	Stearns
Largent	Packard	Stenholm
Latham	Parker	Stockman
LaTourette	Paxon	Stump
Laughlin	Peterson (MN)	Stupak
Lazio	Pombo	Talent
Lewis (CA)	Portman	Tate
Lewis (KY)	Poshard	Tauzin
Lightfoot	Quillen	Taylor (MS)
Linder	Quinn	Taylor (NC)
Lipinski	Radanovich	Tejeda
Livingston	Rahall	Thornberry
LoBiondo	Regula	Tiahrt
Lucas	Riggs	Trafigant
Manton	Roberts	Upton
Manzullo	Roemer	Volkmer
Mascara	Rogers	Vucanovich
McCollum	Rohrabacher	Walker
McCrery	Ros-Lehtinen	Walsh
McDade	Roth	Wamp
McIntosh	Royce	Watts (OK)
McKeon	Salmon	Weldon (FL)
McNulty	Sanford	Weldon (PA)
Metcalf	Saxton	Weller
Mica	Scarborough	Whitfield
Mollohan	Schaefer	Wicker
Montgomery	Seastrand	Wolf
Moorhead	Sensenbrenner	Young (AK)
Murtha	Shadegg	Young (FL)
Myers	Shuster	
Myrick	Skeen	

## NOES—191

Abercrombie	Foley	McHale
Ackerman	Ford	McHugh
Andrews	Fowler	McInnis
Baessler	Frank (MA)	Meehan
Baldacci	Franks (CT)	Meek
Barrett (WI)	Franks (NJ)	Menendez
Bass	Frelinghuysen	Meyers
Becerra	Frost	Mfume
Beilenson	Furse	Miller (CA)
Bentsen	Gejdenson	Miller (FL)
Berman	Gephardt	Mineta
Bilbray	Geren	Minge
Boehlert	Gibbons	Mink
Bonilla	Gilchrest	Molinari
Bonior	Gilman	Moran
Bono	Gonzalez	Nadler
Boucher	Gordon	Obey
Brewster	Green	Olver
Brown (CA)	Greenwood	Owens
Brown (FL)	Gunderson	Pallone
Brown (OH)	Gutierrez	Pastor
Bryant (TX)	Harman	Payne (NJ)
Cardin	Hastings (FL)	Payne (VA)
Castle	Hefner	Pelosi
Chapman	Hilliard	Peterson (FL)
Clay	Hinchey	Pickett
Clayton	Horn	Pomeroy
Clement	Houghton	Porter
Clyburn	Hoyer	Pryce
Coleman	Jackson-Lee	Ramstad
Collins (IL)	Jacobs	Rangel
Collins (MI)	Jefferson	Reed
Condit	Johnson (CT)	Richardson
Conyers	Johnson (SD)	Rivers
Coyne	Johnson, E. B.	Rose
Cramer	Johnston	Roukema
DeFazio	Kelly	Roybal-Allard
DeLauro	Kennedy (MA)	Rush
Dellums	Kennedy (RI)	Sabo
Deutsch	Kennelly	Sanders
Dicks	Klug	Sawyer
Dixon	Kolbe	Schiff
Doggett	Lantos	Schroeder
Dooley	Leach	Schumer
Dunn	Levin	Scott
Durbin	Lewis (GA)	Serrano
Edwards	Lincoln	Shaw
Ehrlich	Lofgren	Shays
Engel	Longley	Skaggs
Eshoo	Lowe	Slaughter
Evans	Luther	Stark
Farr	Markey	Stokes
Fawell	Martinez	Studds
Fazio	Martini	Tanner
Fields (LA)	Matsui	Thomas
Filner	McCarthy	Thompson
Foglietta	McDermott	Thornton

Thurman  
Torkildsen  
Torres  
Torricelli  
Towns  
Velazquez  
Vento

Visclosky  
Ward  
Watt (NC)  
Waxman  
White  
Williams  
Wise

Woolsey  
Wyden  
Wynn  
Yates  
Zeliff  
Zimmer

## NOT VOTING—17

Bishop	Maloney	Sisisky
Blute	McKinney	Tucker
Cox	Moakley	Waldholtz
Dingell	Morella	Waters
Fattah	Petri	Wilson
Flake	Reynolds	

□ 1452

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. At the conclusion of the debate on the last amendment, 2 hours and 38 minutes are remaining for debate on further amendments to this bill.

Title III is open to amendment at any point.

AMENDMENT NO. 72 OFFERED BY MR. SCHUMER

Mr. SCHUMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 72 offered by Mr. SCHUMER:

Page 16, line 14, after the dollar amount, insert the following: "(increased by \$50,000,000)".

Mr. SCHUMER. Mr. Chairman, I intend to withdraw this amendment, but let me explain to my colleagues as to why. The gentleman from New York [Mr. KING] and I first intended to offer this amendment when the bill was originally scheduled for floor consideration a month ago. During the same week the House voted overwhelmingly to lift the arms embargo in the former Yugoslavia. The amendment was a simple one. It would supply \$50 million worth of TOW antitank missiles to the Bosnian Government which it desperately needs to overcome the lopsided advantage of the Bosnian Serbs in tanks and armored vehicles and it was intended simply to demonstrate that Congress was willing to put its money where its mouth was, not only by lifting the embargo but by actually providing the Moslems with some of the weapons they need to defend themselves, weapons they cannot afford to buy after years of devastating aggression against them.

I still believe in that amendment, I still believe the Moslems have the right to defend themselves, and at the proper time the United States as the leader of the free world has the duty to assist them. But, of course, significant events have occurred over the last month and they are transpiring as we speak today. The Bosnian Serbs suffered a dramatic reversal in Crimea, the United Nations and the allies have shown renewed resolve and have taken firm action to halt Serb aggression, and for the first time in a while, perhaps since the beginning of hostilities, it looks like we might be on the verge

of meaningful negotiations among the warring parties. As a result, there now exists a bipartisan consensus to delay a vote to override the President's veto of the embargo legislation. Therefore, in light of these circumstances, I intend to withdraw the amendment pending the status and progress of negotiations and events on the ground. Therefore, my colleagues, I say, let us see how events transpire. If need be, we can come back and do this amendment, but I ask unanimous consent that the amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will designate title IV.

The text of title IV is as follows:

#### TITLE IV

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$4,742,150,000, to remain available for obligation until September 30, 1997.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$8,715,481,000, to remain available for obligation until September 30, 1997: *Provided*, That none of the funds appropriated in this paragraph may be obligated or expended to develop or purchase equipment for an Aegis destroyer variant (commonly known as "Flight IIA") whose initial operating capability is budgeted to be achieved prior to the initial operating capability of the Ship Self-Defense program, nor to develop sensor, processor, or display capabilities which duplicate in any way those being developed in the Ship Self-Defense program: *Provided further*, That funds appropriated in this paragraph for development of the LPD-17 ship may not be obligated unless the baseline design of the ship includes cooperative engagement capability and sufficient own-ship self-defense capability against advanced sea-skimming antiship cruise missiles in the baseline design to achieve an estimated probability of survival from attack by such missiles at a level no less than any other Navy ship: *Provided further*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique requirements of the Special Operations Forces: *Provided further*, That of the funds appropriated in this paragraph, \$189,972,000 shall not be obligated or expended until authorized by law.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$13,110,335,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds made available in this paragraph, \$50,000,000 shall be only for develop-

ment of reusable launch vehicle technologies.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$9,029,666,000, to remain available for obligation until September 30, 1997: *Provided*, That not less than \$170,000,000 of the funds appropriated in this paragraph shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program.

##### DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; \$259,341,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, \$20,000,000 shall not be obligated or expended until authorized by law.

##### OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; \$22,587,000, to remain available for obligation until September 30, 1997.

The CHAIRMAN. Are there any amendments to title IV?

If not, the Clerk will designate title V.

The text of title V is as follows:

#### TITLE V

#### REVOLVING AND MANAGEMENT FUNDS

##### DEFENSE BUSINESS OPERATIONS FUND

For the Defense Business Operations Fund; \$1,573,800,000: *Provided*, That of this amount, \$695,100,000 shall be available only for the liquidation of prior year accumulated operating losses of the Department of the Navy: *Provided further*, That of the funds appropriated in this paragraph, \$695,100,000 shall not be obligated or expended until authorized by law.

##### NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App 1744); \$974,220,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of pre-

viously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

The CHAIRMAN. Are there any amendments to title V?

If not, the Clerk will designate title VI.

The text of title VI is as follows:

#### TITLE VI

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; \$10,205,158,000, of which \$9,917,125,000 shall be for Operation and maintenance, of which \$288,033,000, to remain available for obligation until September 30, 1998, shall be for Procurement: *Provided*, That the Department shall continue to competitively contract during fiscal year 1996 for mail service pharmacy for at least two multi-state regions in addition to the ongoing solicitations for Florida, South Carolina, Georgia, Delaware, New Jersey, Pennsylvania, and Hawaii, as well as each base closure area not supported by an at-risk managed care plan; that such services shall be procured independent of any other Department managed care contracts; that one multi-state region shall include the State of Kentucky and that one multi-state region shall include the State of New Mexico: *Provided*, That of the funds appropriated in this paragraph, \$40,600,000 shall not be obligated or expended until authorized by law.

##### CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$746,698,000, of which \$393,850,000 shall be for Operation and maintenance, \$299,448,000 shall be for Procurement to remain available until September 30, 1998, and \$53,400,000 shall be for Research, development, test and evaluation to remain available until September 30, 1997.

##### DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

##### (INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; \$688,432,000: *Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: *Provided further*, That of the funds appropriated in this paragraph,

\$8,000,000 shall not be obligated or expended until authorized by law.

#### OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; \$178,226,000, of which \$177,226,000 shall be for Operation and maintenance, of which not to exceed \$400,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which \$1,000,000 to remain available until September 30, 1998, shall be for Procurement.

The CHAIRMAN. Are there any amendments to title VI?

If not, the Clerk will designate title VII.

The text of title VII is as follows:

#### TITLE VII

##### RELATED AGENCIES

##### CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; \$213,900,000.

##### NATIONAL SECURITY EDUCATION TRUST FUND (RESCISSION)

Of the funds made available under this heading in Public Law 102-172, Public Law 103-50, Public Law 103-139, and Public Law 103-335, \$78,100,000 are rescinded: *Provided*, That the balance of funds in the National Security Education Trust Fund (established pursuant to section 804 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1904)), other than such amount as is necessary for obligations made before the date of the enactment of this Act, is hereby reduced to zero: *Provided further*, That no outlay may be made from the Fund after the date of the enactment of this Act other than to liquidation of all such obligations made before such date, the Fund shall be closed: *Provided further*, That no obligation may be made from the Fund after the date of the enactment of this Act.

##### INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account; \$75,683,000.

The CHAIRMAN. Are there any amendments to title VII?

If not, the Clerk will designate title VIII.

The text of title VIII is as follows:

#### TITLE VIII

##### GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of

title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during a single fiscal year shall be obligated during the last two months of such fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

#### (TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That only for valid Ship Cost Adjustments related to the Shipbuilding and Construction, Navy Appropriation such authority to transfer may be used to transfer funds made available in this or any previous Department of Defense Appropriations Act subject to the same conditions required elsewhere in this paragraph: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act.

#### (TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds and the "Foreign Currency Fluctuations, Defense" and "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization

in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8008. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8009. None of the funds contained in this Act available for the Civilian Health and Medical Program of the Uniformed Services shall be available for payments to physicians and other non-institutional health care providers in excess of the amounts allowed in fiscal year 1995 for similar services, except that: (a) for services for which the Secretary of Defense determines an increase is justified by economic circumstances, the allowable amounts may be increased in accordance with appropriate economic index data similar to that used pursuant to title XVIII of the Social Security Act; and (b) for services the Secretary determines are overpriced based on allowable payments under title XVIII of the Social Security Act, the allowable amounts shall be reduced by not more than 15 percent (except that the reduction may be waived if the Secretary determines that it would impair adequate access to health care services for beneficiaries). The Secretary shall solicit public comment prior to promulgating regulations to implement this section. Such regulations shall include a limitation, similar to that used under title XVIII of the Social Security Act, on the extent to which a provider may bill a beneficiary an actual charge in excess of the allowable amount.

SEC. 8010. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least thirty days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

E-2C aircraft;  
AV-8B aircraft remanufacture;  
T-45 aircraft.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239.

SEC. 8012. (a) During fiscal year 1996, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 1997 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1997 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1997.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the fifty United States, its territories, and the District of Columbia, 125,000 civilian workyears: *Provided*, That workyears shall be applied as defined in the Federal Personnel Manual: *Provided further*, That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8015. None of the funds appropriated for the Department of Defense during the current fiscal year and hereafter shall be obligated for the pay of any individual who is initially employed after the date of enactment of this Act as a technician in the administration and training of the Army Reserve and the maintenance and repair of supplies issued to the Army Reserve unless such individual is also a military member of the Army Reserve troop program unit that he or she is employed to support. Those technicians employed by the Army Reserve in areas other than Army Reserve troop program units need only be members of the Selected Reserve.

SEC. 8016. Notwithstanding any other provision of law, during the current fiscal year and hereafter the Secretaries of the Army and Air Force may authorize the retention in an active status until age sixty of any person who would otherwise be removed from an active status and who is employed as a National Guard or Reserve technician in a position in which active status in a reserve component of the Army or Air Force is required as a condition of that employment.

SEC. 8017. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense

Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 1415(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided*, That, in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further*, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this subsection applies only to active components of the Army.

SEC. 8018. Funds appropriated for the Department of Defense during the current fiscal year and hereafter shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education.

SEC. 8019. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership.

(TRANSFER OF FUNDS)

SEC. 8020. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8021. For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 1996, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P-1 and R-1 budget justification documents as subsequently modified by Congressional action: *Provided*, That the following exception to the above definition shall apply:

For the Military Personnel and the Operation and Maintenance accounts, the term "program, project, and activity" is defined as the appropriations accounts contained in the Department of Defense Appropriations Act: *Provided further*, That at the time the President submits his budget for fiscal year 1997, the Department of Defense shall transmit to the congressional defense committees budget justification document to be known as the "O-1" which shall identify, at the budget activity, activity group, and sub-activity group level, the amounts requested by the President to be appropriated to the Department of Defense for operation and maintenance in any budget request, or amended budget request, for fiscal year 1997.

SEC. 8022. Of the funds appropriated to the Army, \$147,900,000 shall be available only for the Reserve Component Automation System (RCAS): *Provided*, That none of these funds can be expended—

(1) except as approved by the Chief of the National Guard Bureau;

(2) unless RCAS resource management functions are performed by the National Guard Bureau;

(3) to pay the salary of an RCAS program manager who has not been selected and approved by the Chief of the National Guard Bureau and chartered by the Chief of the National Guard Bureau and the Secretary of the Army;

(4) unless the Program Manager (PM) charter makes the PM accountable to the Chief of the National Guard Bureau and fully defines his authority, responsibility, reporting channels and organizational structure;

(5) to pay the salaries of individuals assigned to the RCAS program management office unless such organization is comprised of personnel chosen jointly by the Chiefs of the National Guard Bureau and the Army Reserve;

(6) to pay contracted costs for the acquisition of RCAS unless RCAS is an integrated system consisting of software, hardware, and communications equipment and unless such contract continues to preclude the use of Government furnished equipment, operating systems, and executive applications software; and

(7) unless RCAS performs its own classified information processing;

*Provided further*, That notwithstanding any other provision of law, none of the funds appropriated shall be available for procurement of computers for the Army Reserve Component which are used to network or expand the capabilities of existing or future information systems or duplicate functions to be provided under the RCAS contract unless the procurement meets the following criteria: (A) at sites scheduled to receive RCAS equipment prior to September 30, 1995, RCAS ADP equipment may be procured and only in the numbers and types allocated by the RCAS program to each site; and at sites scheduled to receive RCAS equipment after September 30, 1995, RCAS ADP equipment or ADP equipment from a list of RCAS compatible equipment approved by the Chief of the National Guard Bureau or his designee, may be procured and only in the numbers and types allocated by the RCAS program to each site; (B) the requesting organizational element has insufficient ADP equipment to perform administrative functions but not to exceed the number of work stations determined by the RCAS program for that site; (C) replacement equipment will not exceed the minimum required to maintain the reliability of existing capabilities; (D) replacement will be justified on the basis of cost and feasibility of repairs and maintenance of present ADP equipment as compared to the cost of replacement; and (E) the procurement under this policy must be approved by the Chief of the National Guard Bureau or his designee, provided that the procurement is a one for one replacement action of existing equipment.

SEC. 8023. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

#### (TRANSFER OF FUNDS)

SEC. 8024. Notwithstanding any other provision of law, the Department of Defense may transfer prior year, unobligated balances and funds appropriated in this Act to the operation and maintenance appropriations for the purpose of providing military technician and Department of Defense medical personnel pay and medical programs (including CHAMPUS) the same exemption from sequestration set forth in the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508) as that

granted the other military personnel accounts: *Provided*, That any transfer made pursuant to any use of the authority provided by this provision shall be limited so that the amounts reprogrammed to the operation and maintenance appropriations do not exceed the amounts sequestered under the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508): *Provided further*, That the authority to make transfers pursuant to this section is in addition to the authority to make transfers under other provisions of this Act: *Provided further*, That the Secretary of Defense may proceed with such transfer after notifying the Appropriations Committees of the House of Representatives and the Senate twenty calendar days in session before any such transfer of funds under this provision.

SEC. 8025. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8026. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8027. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided*, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further*, That the Department of Defense's budget submission for fiscal year 1997 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: *Provided further*, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: *Provided further*, That each such Executive Agreement with a NATO member host nation shall be reported to the congressional defense com-

mittees thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8028. None of the funds available to the Department of Defense in this Act shall be used to demilitarize or dispose of more than 310,784 unserviceable M1 Garand rifles and M1 Carbines.

SEC. 8029. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8030. None of the funds appropriated by this Act may be used by the Department of Defense to assign a supervisor's title or grade when the number of people he or she supervises is considered as a basis for this determination: *Provided*, That savings that result from this provision are represented as such in future budget proposals.

SEC. 8031. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act: *Provided*, That funds necessary for the care of animals covered by this contract are allowed.

SEC. 8032. None of the funds provided in this Act or any other Act shall be available to conduct bone trauma research at any Army Research Laboratory until the Secretary of the Army certifies that the synthetic compound to be used in the experiments is of such a type that its use will result in a significant medical finding, the research has military application, the research will be conducted in accordance with the standards set by an animal care and use committee, and the research does not duplicate research already conducted by a manufacturer or any other research organization.

SEC. 8033. No more than \$50,000 of the funds appropriated or made available in this Act shall be used for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and Senate that such a relocation is required in the best interest of the Government.

SEC. 8034. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under section 331, 332, 333, 3500, or 8500 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

*Provided*, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8035. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight months after initiation of such study for a multi-function activity.

SEC. 8036. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8037. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8038. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8039. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46-48).

SEC. 8040. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8041. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriation or fund which incurred such obligations.

SEC. 8042. (a) Funds appropriated in this Act to finance activities of Department of Defense (DoD) Federally Funded Research and Development Centers (FFRDCs) may not be obligated or expended for a FFRDC if a member of its Board of Directors or Trustees simultaneously serves on the Board of Directors or Trustees of a profit-making company under contract to the Department of Defense unless the FFRDC has a DoD approved conflict of interest policy for its members.

(b) LIMITATION ON COMPENSATION.—No employee or executive officer of a defense FFRDC may be compensated at a rate exceeding Executive Schedule Level I by that FFRDC.

(c) LIMITATION ON COMPENSATION.—No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC may be compensated for his or her services as a member of such entity except under the same conditions, and to the same extent, as members of the Defense Science Board: *Provided*, That a member of any such entity shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(d) Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1996, not more than \$1,252,650,000 may be obligated for financing activities of defense FFRDCs: *Provided*, That in addition to any other reductions required by this section, the total amounts appropriated in titles II, III, and IV of this Act to finance activities carried out by defense FFRDCs and other entities providing consulting services, studies and analyses, systems engineering and technical assistance, and technical engineering and management support are hereby reduced by \$90,097,000.

SEC. 8043. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

SEC. 8044. None of the unobligated balances available in the National Defense Stockpile Transaction Fund during the current fiscal year may be obligated or expended to finance any grant or contract to conduct research, development, test and evaluation activities for the development or production of advanced materials, unless amounts for such purposes are specifically appropriated in a subsequent appropriations Act.

SEC. 8045. For the purposes of this Act, the term "congressional defense committees" means the Committees on Appropriations of the Senate and the House of Representatives, the subcommittee on National Security of the Committee on Appropriations and the

Committee on National Security of the House of Representatives, and the Committee on Armed Services of the Senate.

SEC. 8046. Notwithstanding any other provision of law, during the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8047. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1996. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8048. Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to \$2,500, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm: *Provided*, That the amount of an indebtedness previously paid by a member or former member and cancelled under this section shall be refunded to the member.

SEC. 8049. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

SEC. 8050. During the current fiscal year and thereafter, voluntary separation incentives payable under 10 U.S.C. 1175 may be paid in such amounts as are necessary from the assets of the Voluntary Separation Incentive Fund established by section 1175(h)(1).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. Amounts deposited during the current fiscal year to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8052. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided*, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further*, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8053. None of the funds available in this Act may be used to support in any manner, including travel or other related expenses, the "Tailhook Association".

SEC. 8054. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies.

SEC. 8055. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8056. During the current fiscal year and thereafter, annual payments granted under the provisions of section 4416 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-428; 106 Stat. 2714) shall be made from appropriations which are available for the pay of reserve component personnel.

SEC. 8057. Of the funds appropriated or otherwise made available by this Act, not more than \$119,200,000 shall be available for payment of the operating costs of NATO Headquarters.

SEC. 8058. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$50,000.

SEC. 8059. During the current fiscal year and thereafter, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102-484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.

SEC. 8060. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Business Operations

Fund shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Business Operations Fund if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 1997 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1997 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 1997 procurement appropriation and not in the supply management business area or any other area or category of the Defense Business Operations Fund.

SEC. 8061. None of the funds provided in this Act shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: *Provided*, That this prohibition shall not apply to safety modifications: *Provided further*, That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the United States to provide such waiver and so notifies the congressional defense committees in writing.

SEC. 8062. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

SEC. 8063. None of the funds appropriated by this Act shall be available for payment of the compensation of personnel assigned to or serving in the National Foreign Intelligence Program in excess of 92 percent of such personnel actually assigned to or serving in the National Foreign Intelligence Program on September 30, 1992: *Provided*, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to Senior Intelligence Service positions shall be equal to or exceed the percentage of reductions to non-Senior Intelligence Service positions: *Provided further*, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to positions in the National Capital Region shall be equal to or exceed the percentage of reductions to positions outside of the National Capital Region.

SEC. 8064. None of the funds provided by this Act may be used to pay the salaries of any person or persons who authorize the transfer of obligated and debilitated appropriations into the Reserve for Contingencies of the Central Intelligence Agency.

SEC. 8065. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1997.

SEC. 8066. The classified Annex prepared by the Committee on Appropriations to accom-

pany the report on the Department of Defense Appropriations Act, 1996 is hereby incorporated into this Act: *Provided*, That the amounts specified in the classified Annex are not in addition to amounts appropriated by other provisions of this Act: *Provided further*, That the President shall provide for appropriate distribution of the classified Annex, or of appropriate portions of the classified Annex, within the executive branch of the Government.

SEC. 8067. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8068. Notwithstanding any other provision of law, funds appropriated in this Act for the High Performance Computing Modernization Program shall be made available only for the acquisition and sustainment of operations, including maintenance of the supercomputing and related networking capability at (1) the DOD Science and Technology sites under the cognizance of the DDR&E, (2) the DOD Test and Evaluation centers under the Director, Test and Evaluation, OUSD (A&T), and (3) the Ballistic Missile Defense Organization: *Provided*, That the contracts, contract modifications, or contract options are awarded competitively solely upon the requirements of the users.

SEC. 8069. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986 and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8070. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8071. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

SEC. 8072. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or



(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

*Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8073. Funds appropriated by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 1996 until the enactment of the Intelligence Authorization Act for fiscal year 1996.

SEC. 8074. (a) None of the funds made available by this Act may be obligated for design, development, acquisition, or operation of more than 47 Titan IV expendable launch vehicles, or for satellite mission-model planning for a Titan IV requirement beyond 47 vehicles.

(b) \$115,226,000 made available in this Act for Research, Development, Test and Evaluation, Air Force, may only be obligated for development of a new family of medium-lift and heavy-lift expendable launch vehicles evolved from existing technologies.

SEC. 8075. No funds available to the Department of Defense in this Act may be used to establish additional field operating agencies of any element of the Department during fiscal year 1996, except for field operating agencies funded within the National Foreign Intelligence Program.

SEC. 8076. Notwithstanding any other provision of law, for resident classes entering the war colleges after September 30, 1996, the Department of Defense shall require that not less than 20 percent of the total of United States military students at each war college shall be from military departments other than the hosting military department: *Provided*, That each military department will recognize the attendance at a sister military department war college as the equivalent of attendance at its own war college for promotion and advancement of personnel.

SEC. 8077. None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of \$250,000 per year.

SEC. 8078. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8079. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: *Provided*, That during the performance of such duty, the members of the National

Guard shall be under State command and control: *Provided further*, That such duty shall be treated as full-time National Guard duty for purposes of sections 12602 (a)(2) and (b)(2) of title 10, United States Code.

SEC. 8080. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the General Defense Intelligence Program and the Consolidated Cryptologic Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8081. (a) No project for the construction of any facility, or improvement to any facility, having an estimated Federal cost in excess of \$750,000, may be undertaken in any fiscal year unless specifically identified as a separate item in the President's annual fiscal year budget request or otherwise specifically authorized and appropriated if such facility or improvement would be used primarily by personnel of the intelligence community.

(b) As used in this section, the term "intelligence community" has the same meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 8082. The Secretary of Defense, from within funds provided in this Act, may obligate not to exceed \$75,000 to fulfill Department of Defense obligations under the Educational Loan Repayment Programs for State-sponsored student loan programs not covered under title IV, part B or E of the Higher Education Act of 1965 (title 20 U.S.C. 1071-1087).

SEC. 8083. All refunds or other amounts collected in the administration of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be credited to current year appropriations.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8084. None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed \$1,218,000,000.

SEC. 8085. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

#### (TRANSFER OF FUNDS)

SEC. 8086. Appropriations available in this Act under the heading "Operation and Maintenance, Defense-Wide" for increasing energy and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and

for the same time period, as the appropriation or fund to which transferred.

SEC. 8087. Funds in the amount of \$61,300,000 received during fiscal year 1996 by the Department of the Air Force pursuant to the "Memorandum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission," signed September 8, 1994, and September 23, 1994, and Attachments A, B and C to the Memorandum, shall be merged with appropriations available for research, development, test and evaluation and procurement for fiscal year 1996, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract as of the date of enactment of this Act, as well as on the follow-on launch services and program sustaining support contract to be awarded in fiscal year 1996.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8088. In addition to amounts appropriated or otherwise made available by this Act, \$44,000,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard for activities relating to national security.

SEC. 8089. The total amount appropriated in title II, III, and IV of this Act is hereby reduced by \$30,000,000 for savings through improved management of contractor automatic data processing costs charged through indirect rates on Department of Defense acquisition contracts.

SEC. 8090. (a) None of the funds appropriated in title III of this Act may be obligated by the Department of Defense for acquisition or advance procurement of any system or end item using incremental funding.

(b) For purposes of this section, the term "incremental funding" has the meaning provided in paragraph (3) of section 114(f) of title 10, United States Code, as added by section 1007 of H.R. 1530 of the One Hundred Fourth Congress (the National Defense Authorization Act for Fiscal Year 1996), as passed by the House of Representatives on June 15, 1995.

(c) This section does not apply to an obligation that is classified as an advance procurement for a system or end item that is to be procured on a full funding basis.

SEC. 8091. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8092. None of the funds appropriated in this Act to the Department of the Army may be obligated for procurement of 120mm mortars or 120mm mortar ammunition manufactured outside of the United States.

SEC. 8093. The Department of Defense shall release all funds appropriated and available for the HAVE GAZE program to the Department of the Air Force for obligation under existing contractual arrangements.

SEC. 8094. Notwithstanding any other provision of law, (a) funds available to the Navy in the Operation and Maintenance appropriation for refueling overhauls and defueling inactivations of nuclear-powered warships are available to transport the shipments of naval spent nuclear fuel to the Idaho National Engineering Laboratory needed for examination and storage to avoid threats to the national security; and (b) the Secretary of the Navy is hereby authorized to immediately



commence and accomplish such transportation: *Provided*, That the Secretary of Defense shall make the determination as to what shipments are required for that purpose and shall ensure that the shipments are made in accordance with the practices and requirements applied to previous container shipments of naval spent fuel to the Idaho National Engineering Laboratory: *Provided further*, That the authority in this section shall expire on September 30, 1996 or upon the vacation or stay of the current or any subsequent injunction issued by the United States District Court for the District of Idaho which enjoins such shipments, whichever occurs first: *Provided further*, That the authority in this section may not be used unless the Secretary of Defense certifies in writing to the congressional defense committees that a good-faith agreement between the State of Idaho and the United States Government was attempted but could not be reached concerning interim shipments of spent nuclear fuel enjoined by any such injunction based on national security reasons.

SEC. 8095. None of the funds appropriated by this Act shall be available to lease or charter a vessel on a long-term basis used to transport fuel or oil for the Department of Defense in those instances where the leases involve the construction of new ships unless the Secretary of Defense requires that the vessel be constructed in the United States with a double hull under the long term lease or charter authority provided in section 2401 note of title 10, United States Code: *Provided*, That this limitation shall not apply to contracts in force on the date of enactment of this Act: *Provided further*, That by 1997 at least 20 percent of annual leases and charters must be for ships of new construction: *Provided further*, That the Military Sealift Command shall plan to achieve the goal of eliminating single hull ship leases by the year 2015.

SEC. 8096. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop or procure main propulsion engines for the LPD-17 class of ships unless such equipment is powered by a diesel engine manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8097. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop or procure an emergency generator set for the New Attack Submarine unless such equipment is powered by a diesel engine manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8098. The Army shall use George Air Force Base as the interim airhead for the National Training Center at Fort Irwin until Barstow-Daggett reaches Initial Operational Capability as the permanent airhead: *Pro-*

*vided*, That within funds appropriated for "Operation and Maintenance, Army" in this Act, not less than \$2,000,000 shall be available only to operate the National Training Center's rotational airhead at the now closed George Air Force Base: *Provided further*, That the Secretary of the Army shall provide the congressional defense committees with a report assessing the Army's compliance with the terms of this provision not later than March 31, 1996: *Provided further*, That not later than April 30, 1996, the Department of the Army shall complete planning and design of the Barstow-Daggett airfield as the permanent airhead in support of training rotations at the National Training Center.

#### (TRANSFER OF FUNDS)

SEC. 8099. During the current fiscal year, the Secretary of Defense may carry out transfers of funds of not to exceed \$200,000,000, as provided in section 127a(c) of title 10, United States Code, as amended by section 1003 of the National Defense Authorization Act for Fiscal Year 1996 (H.R. 1530): *Provided*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act.

SEC. 8100. The sum of \$77,500,000 appropriated in title I and the sum of \$564,300,000 appropriated in title II for additional incremental costs associated with the operations of the Department of Defense designated, as of June 1, 1995, as Operation Southern Watch and Operation Provide Comfort—

(1) shall not be obligated or expended before the date on which the budget of the President for fiscal year 1997 is transmitted to Congress; and

(2) may be obligated or expended for such incremental costs on or after such date only if that budget specifically sets forth amounts proposed for fiscal year 1997 for each of those operations.

SEC. 8101. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8102. (a) LIMITATION ON PARTICIPATION IN CERTAIN OPERATIONS.—None of the funds available to the Department of Defense for the current fiscal year shall be obligated or expended for costs incurred by United States Armed Forces units serving in an operation described in subsection (b) unless the President engages in consultations with the bipartisan leadership of Congress and the congressional committees named in subsection (e) regarding such operation in accordance with subsection (c)(1).

(b) COVERED OPERATIONS.—(1) This section applies to the following:

(A) Any international peacekeeping or peace-enforcement operation that is not underway as of the date of the enactment of this Act and that is authorized by the Security Council of the United Nations under chapter VI or VII of the Charter of the United Nations.

(B) Any other international peacekeeping or peace-enforcement operation that is not underway as of the date of the enactment of this Act.

(C) Any deployment after the date of the enactment of this Act of United States ground forces in the territory of the former Yugoslavia above the level of such forces so deployed as of such date of enactment, other than a deployment involving fewer than 100 personnel.

(D) Except as provided in paragraph (2), any international humanitarian assistance operation.

(2) This section does not apply with respect to—

(A) an international humanitarian assistance operation carried out in response to a disaster; or

(B) any other international humanitarian assistance operation if the President reports to Congress that the estimated cost of such operation is less than \$50,000,000.

(c) CONSULTATION WITH CONGRESS.—(1) Consultations under subsection (a) in the case of any operation shall be initiated before the initial deployment of United States Armed Forces units to participate in the operation and, whenever possible, at least 15 days before such deployment. However, if the President determines that the national security so requires, the President may delay the initiation of such consultations until after such initial deployment, but in no case may such consultations be initiated later than 48 hours after such deployment.

(2) Such consultations shall include discussion of all of the following:

(A) The goals of the operation and the mission of any United States Armed Forces units involved in the operation.

(B) The United States interests that will be served by the operation.

(C) The estimated cost of the operation.

(D) The strategy by which the President proposes to fund the operation, including possible supplemental appropriations or payments from international organizations, foreign countries, or other donors.

(E) The extent of involvement of armed forces and other contributions of personnel from other nations.

(F) The anticipated duration and scope of the operation.

(3) Such consultations shall continue on a periodic basis throughout the period of the deployment.

(d) REQUESTS FOR EMERGENCY SUPPLEMENTAL APPROPRIATIONS.—Whenever there is a deployment of United States Armed Forces to perform an international humanitarian, peacekeeping, or peace-enforcement operation, the President should seek emergency supplemental appropriations to meet the incremental costs to the Department of Defense of that deployment not later than 90 days after the date on which such deployment commences.

(e) COMMITTEES TO BE INCLUDED IN CONSULTATIONS.—The committees referred to in subsection (a) are the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(3) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 8103. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of

the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—(1) This section applies to—

(A) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(B) any other international peacekeeping, peace-enforcement, humanitarian, or disaster relief operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8104. None of the funds available to the Department of Defense shall be obligated or expended for the purposes of deploying United States Armed Forces to participate in the implementation of a negotiated peace settlement in Bosnia-Herzegovina, unless such deployment is previously authorized by law.

SEC. 8105. Except as expressly authorized by law or provided for specifically in an Act making appropriations for the Department of Defense, none of the funds available to the Department of Defense after December 1, 1995, for the current fiscal year or any fiscal year hereafter shall be available to support or otherwise provide funds for any program or activity (other than an intelligence program or activity) for which another Federal department or agency has primary responsibility or which is a type of program or activity for which funds are customarily provided in appropriations available to another Federal department or agency. The limitation in the preceding sentence does not apply with respect to funds made available to another department or agency in accordance with section 1535 of title 31, United States Code.

SEC. 8106. None of the funds available to the Department of Defense shall be obligated or expended to make a financial contribution to the United Nations for the cost of an United Nations peacekeeping activity (whether pursuant to assessment or a voluntary contribution) or for payment of any United States arrearage to the United Nations.

The CHAIRMAN. Are there any amendments to title VIII?

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds made available in this Act under the heading "Procurement of Ammunition, Army" may be obligated or

expanded for the procurement of munitions unless such acquisition fully complies with the Competition in Contracting Act.

Mr. BURTON of Indiana (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BURTON of Indiana. Mr. Chairman, I have cleared this amendment with both the majority and minority leaders on the committee. My amendment saves taxpayers' dollars, supports open and fair competition and codifies existing law. It is noncontroversial.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Florida, chairman of the Defense Appropriations Subcommittee.

Mr. YOUNG of Florida. Mr. Chairman, I would say that we have examined this amendment and discussed it with the gentleman and believe that it does promote competition and think it is a positive addition to this bill and we accept the amendment.

Mr. MURTHA. Mr. Chairman, if the gentleman will yield, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title VIII?

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AMENDMENT NO. 47 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 47 Offered by Ms. WOOLSEY. Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds appropriated in this Act may be used to modify any Trident I submarine to enable that submarine to be deployed with Trident II (D-5) missiles.

Ms. WOOLSEY. Mr. Chairman, once again I am here to get this body to do something that the National Taxpayers Union, Citizens Against Government Waste, the Council for a Livable World, and Members on both sides of the aisle believe should have been long ago: Stop wasting money on the Trident nuclear missiles.

At a time when this Congress is making cuts in education, student aid, and Medicare, I am outraged that we are even talking about investing \$3 billion over the next 7 years in this cold war relic, especially when the Navy didn't even request it.

Backfitting 4 Trident submarines that now carry C-4 missiles with expensive D-5 missiles would give us a total of 14 subs carrying D-5 missiles; 4 more than the Navy originally planned.

My amendment does not do away with D-5 missiles; it simply cancels the backfit, limits the Navy to 10 subs with D-5 missiles, and saves taxpayers \$3 billion over 7 years. That is a reasonable request.

It is a reasonable request because the D-5 missile was designed to hit targets in the Soviet Union. Well, guess what folks. The Soviet Union no longer exists. If 10 D-5 subs were enough to stop the Soviet threat during the height of the cold war, then 10 D-5 subs are certainly enough to stop today's smaller threat from the former Soviet Union.

And if my colleagues are concerned about threats from rogue nations like North Korea and Iran, my answer is simple: One Trident submarine, loaded with 24 D-5 missiles, would be more than enough to stop a threat from these nations.

And let us not get into a debate about this amendment damaging military readiness. If military readiness is a problem, it is not because we have not pumped enough money into the military budget. Rather, it is because the Pentagon has some seriously misplaced spending priorities.

With soldiers on food stamps, we cannot afford to be wasting billions of precious dollars on this wasteful and expendable program. But really when it comes down to it, the Woolsey amendment is not about spending priorities within the military; it is about spending priorities, period.

We cannot balance the budget on the backs of children, on the backs of working families, and on the backs of seniors, while allowing the Pentagon's budget to balloon.

Let us hold this Congress and the Pentagon accountable. Let us make it clear that spending an additional \$3 billion on the Trident force is a wasteful and ill-advised mistake. It is time to put any further spending on this cold war relic where it belongs: in the history books.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to briefly point out that the President of the United States, through the Nuclear Posture Review, endorsed the need for the Trident D-2 backfit. The D-5 missile has improved military effectiveness and reliability, greater range, and twice the design life of the older C-4 missile which it replaces.

Trident submarines are expected to last at least 30 years, and in today's world they might have to last twice that long. The C-4 missile will definitely not have that much of a shelf life. C-4 production actually terminated in 1987 and the C-4 will have to be replaced.

The most cost-effective approach is to continue procurement of the D-5 missile and use some of them to backfit the older Trident submarines.

However, the strongest argument I can make against this amendment is that there is no money in this bill for

the D-5 submarine backfit and hopefully the gentlewoman would withdraw the amendment.

Mrs. SCHROEDER. Mr. Chairman, I rise in support of the Woolsey amendment.

Mr. Chairman, I think the gentlewoman from California [Ms. WOOLSEY] makes an awful lot of sense. The question is how much is enough and are we buying things based on a threat-based analysis? I think everybody knows we have enough D-5 missiles to more than deter any threat from anywhere at any time. We have got a lock on all of this.

The real question is why do we keep buying more and more and more? Or why are planning for more, when really, if we were going to invest wisely, I think we would fall back and figure out what might be coming in the future, if some enemy in the future moves forward. But we have a lock on this technology. We know how to do it.

Mr. Chairman, I just think the gentlewoman from California [Ms. WOOLSEY] makes a tremendous amount of sense with this and I congratulate the gentlewoman.

Ms. WOOLSEY. Mr. Chairman, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, I would like to respond to the issue of there being no money in the bill for the backfit. The Navy is currently planning how to accomplish the backfit and funds in this bill will be used for this planning.

My amendment says that this planning will not occur and will forgo the backfit. It makes an important policy statement and it sets precedent for future appropriations bills that will contain funds expressly for the backfit. Even though there is no money right now for backfit, there is certainly money in the bill for planning that backfit.

Mr. DICKS. Mr. Chairman, I rise in opposition to the Woolsey amendment.

Mr. Chairman, last year the House voted on this issue and basically took the position that we should support the backfit.

Mr. Chairman, I would like to point out to my distinguished friend and colleague that the Nuclear Posture Review, which was done by the Department of Defense, does, in fact, call for the backfit of 4 *Trident* submarines with the D-5 missile. That is the administration's position and that is the Navy's position.

So, I would just say this: That we have entered into a series of arms control agreements which call upon us to make major reduction in our land-based missiles, to reduce our bomber force to a level that I am frankly troubled by, and the basic deterrent that we have left is on our *Trident* submarines, some of which are based on the east coast in Georgia and others on the west coast in Washington State, from my home area.

Mr. Chairman, I would urge my colleagues to stay with their position of

last year, to oppose the Woolsey amendment, and to continue to support the *Trident* submarine program and the D-5 backfit.

Ms. WOOLSEY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The CHAIRMAN. Are there further amendments to title VIII?

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Florida: On page 55, line 8, after the word "committees" insert the following: ", and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate".

On page 87, line 10, after the word "committees" insert the following: ", the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate".

On page 91, line 21, after the word "committees" insert the following: ", and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate".

Mr. YOUNG of Florida. Mr. Chairman, this is a technical amendment. We have, in this bill, asked the Department of Defense to provide certain reports to the defense committees of the House and the Senate. This amendment would include as recipients of those reports the Committee on International Relations in the House and the Committee on Foreign Relations in the Senate.

Mr. Chairman, it is strictly a technical amendment.

Mr. MURTHA. Mr. Chairman, we applaud the gentleman from Florida [Mr. YOUNG] and have no problems with the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. YOUNG].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURTHA: On page 94, after line 3, insert the following new section:

Sec. 8107. None of the funds in this Act may be used to implement any change to the computation of military retired pay as required by law in fiscal year 1995 for military personnel who entered the Service before September 8, 1980.

Mr. MURTHA. Mr. Chairman, this amendment takes care of a problem which for 2 years the Committee on Appropriations has worked out. There was a perception it saved a lot of money by changing the formula for retirement of the military. We find that it has not saved a lot of money. We are offering an amendment to rectify that problem.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, we certainly concur with this amendment and urge that it be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title VIII?

AMENDMENT NO. 82 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: Page 94, after line 3, add the following new section:

SEC. 8107. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

Mr. SANDERS. Mr. Chairman, the Pentagon is spending \$31 million in taxpayer dollars for corporate bonuses for the top executives of just one major defense contractor, the Lockheed-Martin Corp. With so much concern about the Federal deficit and Government waste, I would hope that every Member of the Congress supports the amendment that I am offering which would prohibit this practice.

Mr. Chairman, as you know, earlier this year Pentagon officials agreed to use \$31 million in taxpayer money to pay a third of the \$92 million in bonuses that top corporate executives of the Martin-Marrietta Corp. and the Lockheed Corp. granted themselves for staging the largest merger of defense contractors in American history, and that was the creation of the Lockheed-Martin Corp. with \$11.6 billion in annual military sales and \$23 billion in total annual sales.

Just 2 months after this development took place, the same corporate executives announced plans to fire 19,000 American workers and to close 12 factories and laboratories across the Nation.

Mr. Chairman, this seems to me to be an example of corporate welfare at its worst and I would hope that the Members would support my amendment, which would prohibit this golden parachute, as well as any which take place.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I want to compliment the gentleman from

Vermont [Mr. SANDERS] for the work he has done on this amendment and certainly, speaking for this side of the aisle, we would be glad to accept the amendment.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I associate myself with the remarks of the gentleman from Pennsylvania [Mr. MURTHA] and we are happy to accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont. [Mr. SANDERS].

The amendment was agreed to.

AMENDMENT NO. 85 OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 85 offered by Mrs. SCHROEDER: Page 94, after line 3, insert the following:

SEC. 8107. (a) LIMITATION ON THE USE OF FEDERAL FUNDS BY CONTRACTORS FOR POLITICAL ADVOCACY.—None of the funds made available by this Act may be used by any Federal contractor for an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Carrying on propaganda, or otherwise attempting to influence Federal, State, or local legislation or agency action, including any of the following:

(A) Monetary or in-kind contributions, endorsements, publicity, or similar activity.

(B) Any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or any segment thereof, including any communication between the contractor and an employee of the contractor to directly encourage such employee to urge persons other than employees to engage in such an attempt.

(C) Any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any government official or employee who may participate in the formulation of the legislation or agency action, including any communication between the contractor and an employee of the contractor to directly encourage such employee to engage in such an attempt or to urge persons other than employees to engage in such an attempt.

(2) Participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including monetary or in-kind contributions, endorsements, publicity, or similar activity.

(3) Participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the contractor or potential contractor is a defendant appearing in its own behalf; is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that contractor or potential contractor.

(4) Allocating, disbursing, or contributing any funds or in-kind support to any individ-

ual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(b) LIMITATION ON USE OF FEDERAL FUNDS TO AWARD CONTRACTS.—None of the funds made available by this Act may be used to award a contract when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeding the sum of—

(A) the first \$20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05; and

(B) the remainder of the difference calculated in subparagraph (A), multiplied by .01;

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of non-partisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees, other than communications described in subparagraph (C).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

(Mrs. SCHROEDER asked and was given permission to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Chairman, I hope that my colleagues can just accept this amendment. I think it is fairly simple. Most of the Members of the body voted on an amendment very similar to this recently and that was

when we were debating the Labor HHS appropriations. The gentleman from Oklahoma [Mr. ISTOOK] offered an amendment that said that any recipient of a Federal grant was not allowed to lobby with their non-Federal funds. Non-Federal funds.

So as my colleagues may know from many of the articles that have appeared since in the Wall Street Journal and other places, they talk about how the Girl Scouts, the Red Cross, all sorts of groups such as that, will not be able to lobby here because they got Federal funds, even with non-Federal funds.

OK. That makes sense.

Now, I voted against that, because I felt that that was really infringing their free speech.

What my amendment does today is say, "Okay, guys, I lost. If we are going to do that to nonprofits, then we certainly ought to be doing it to profits."

My amendment says what is good for the goose is good for the gander, or what is good for a nonprofit ought to be able to be good for a profit.

What this amendment says is that companies that receive high amounts of money for defense contracts and Government contracts that are in for-profit businesses also cannot use their non-Government money to lobby.

Now, let us be real serious about this here. Who do you think, who do you think has the most influence here: the Girl Scouts or some of the big contractors? Now, we have shut the Girl Scouts out, and we have shut the YMCA out, and we have shut the Boy Scouts out, and we have shut out all of those groups because we realize the terrific power they were wielding in this body, and I think if you really believe that, then you had better look at what is going on with defense firms.

I got from several different groups who monitor this the amount of money defense firms are handing out. It is a phenomenal amount of money. I woke up this morning, there were TV ads on television for the B-2 bomber. That looks like lobbying to me. Imagine, it would be in Washington where policymakers are getting up and watching the news. We see ads in newspapers, we see people coming around to offices, we see pens, we see all sorts of things. These are the real megalobbyists. They not only have that, they have something the nonprofits do not have, they also have political action committees.

So yesterday we were having a big debate on this floor about how we ought to have real reform, and if we are going to have real reform and we are going to insist that nonprofits are going to be gagged and not be able to talk or be able to spend their money to consult Congress, we certainly ought to adopt this amendment which just says do to the profits what you do to the nonprofits; do to the defense contractors and other people who have Government contracts what you did to the nonprofit people who got grants from the Government.

That, I think, is something that if we do not do it, it is going to be awfully hard to explain back home, and I think when we see more and more groups getting concerned about whether we are making decisions here based on the threat or whether we are making decisions here based on PAC contributions or lobbying or nonprofit groups exerting excess powers such as Senator SIMPSON in the Senate has talked about, or whatever, we have got to do this equally and evenhandedly, or otherwise it looks like we are being disingenuous.

So while I would like to have everybody have free speech, since this body overruled my position and decided we are not going to have free speech for nonprofits, that these very, very dangerous groups out there that have gotten these grants must not be able to lobby even with their own money, I certainly think if we are that afraid of the Sierra Club and if we are that afraid of the Children's Defense Fund, we ought to be afraid of big contractors who live off of this Federal money, and some make as much as almost \$23 billion a year. We certainly ought to say they should not be able to use their non-Government funds to lobby.

So I would hope this could be agreed to, and I would hope that we could get on to it since the body has agreed to exactly the same thing in other appropriation bills for nonprofits, and so I hope everybody can concede this very early.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

I do so only because I am not exactly sure what the effect would be. We were just provided this amendment today. We are trying to determine what effect it would have on title 10 of the United States Code, Armed Forces, which deals with procurement and contracting and things of this type. I am not really sure what effect that would have, and I am just wondering if the gentlewoman would be willing to defer a decision on this amendment for maybe 15 or 20 minutes to give us a chance to try to finish our research on it.

Mrs. SCHROEDER. Mr. Chairman, would the gentleman yield?

Mr. YOUNG of Florida. Mr. Chairman, I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. I appreciate your open-mindedness on this. And, yes, we have researched that.

But if we could ask unanimous consent to withhold further debate on this for 15 minutes, would that be adequate?

Mr. YOUNG of Florida. That would be helpful.

The CHAIRMAN. The gentlewoman can withdraw the amendment by unanimous consent and then reoffer it once the research is done. Otherwise the debate would have to continue until such time as everybody was talked out and the Chair would then put the question on the amendment.

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will yield further, my concern about that is because of the very stringent time limits we are under, I might not be able to get back up and get it offered. If there is some assurance that I can get recognized again before the time clock goes off.

Mr. YOUNG of Florida. I would have no problem with some assurance there. I would like to point out, these laws dealing with this subject really are legislation and not appropriations. The gentlewoman is on the authorizing committee. That might have been the place to have addressed this issue.

But we began this bill in late July, early August. Here it is now September. This amendment was just filed. So we would like a little time to make sure exactly what the effect would be.

Mrs. SCHROEDER. If the gentleman would yield further, I understand what the gentleman is saying. As you know, the prior Istook amendment on nonprofits came out of the Committee on Appropriations. None of us thought we should be doing this in the authorizing committee, which is why I did not offer it. But since this body adopted it on the Labor, HHS and Education amendments, it seemed to me only fair we do the same kind of thing, and our research makes it look like it is an absolute mirror image. It just takes the Istook amendment, which basically I am opposed to, and I would be opposed to shutting off speech, but we did it. It seems to me only fair then that we do it for the for-profits. That is all I am trying to do as we proceed here.

So the reason we did not do it in the other forum was that we had no idea appropriations was going to start legislating on appropriation bills. So we have no choice but to do the same.

Mr. YOUNG of Florida. The difference is the nonprofits that we are talking about do not have all of this law that relate to them, where the Defense Department does, and I just need to check and make sure that we have something that is not going to be flying up against another law.

Mrs. SCHROEDER. If the gentleman will yield further, again, what I understand where we are is we have about 15 minutes to look at this. Then we can reoffer it, and, hopefully, you can accept it at that point.

Mr. YOUNG of Florida. Before we do that, the gentleman from Pennsylvania [Mr. MURTHA] was on his feet, and I think he wanted to engage in this conversation. We might want to do that before we withdraw the amendment.

Mr. MURTHA. Mr. Chairman, would the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. I just wanted to add my request to withdraw and see if we could not work something out on it. It is a complicated subject. It is a comprehensive amendment, which certainly in committee I opposed the Istook amendment because of my concern for that issue, and I would ask the

gentlewoman to withdraw the amendment and see if we cannot work something out.

Mrs. SCHROEDER. Mr. Chairman, based upon the agreement of both of the gentlemen, I certainly will be more than happy to withdraw it under the condition I can reoffer it, hopefully, in a few minutes where we can work something out.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

The CHAIRMAN. The amendment is withdrawn, without prejudice.

AMENDMENT OFFERED BY MR. CALLAHAN

Mr. CALLAHAN. Mr. Chairman, I offer an amendment, amendment No. 73.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CALLAHAN: Page 94, after line 3, insert the following new section:

**SEC. 8107. LIMITATION ON PROCUREMENT OF CERTAIN VESSEL PROPELLERS AND SHIP PROPULSION SHAFTING.**

(a) Subject to subsection (c), none of the funds made available by this Act may be used to procure vessel propellers six feet in diameter or greater when it is made known to the Federal official having authority to obligate or expend such funds that such propellers are not manufactured in the United States and do not incorporate castings that are poured and finished only in the United States.

(b) Subject to subsection (c), none of the funds made available by this Act may be used to procure ship propulsion shafting when it is made known to the Federal official having authority to obligate or expend such funds that such ship propulsion shafting is not manufactured in the United States.

(c) The limitation in subsection (a) or subsection (b), as the case may be, does not apply when it is made known to the Federal official having authority to obligate or expend such funds that adequate domestic supplies of propellers described in subsection (a) or of ship propulsion shafting are not available to meet Department of Defense requirements on a timely basis.

Mr. CALLAHAN. Mr. Chairman, the purpose of my amendment is to insert a buy American clause that has been in existence for a great number of years. This buy American clause had to do with propellers, and it was in the 1994 appropriations bill and authorization bill, and for some reason it was left out of the 1995-96 appropriation bill.

But I think it is very important that we recognize that this is an opportunity to spend money in the United States, an opportunity to create jobs here in the United States.

We have a letter from the Department of the Navy dated August 22, 1994, that certainly agrees with the purpose of this, because they fear if we do not include this, that we are going to lose the capability then, in the event of any emergency, to have the capability of developing propellers greater than 6 feet in diameter.

The 1994 future years plan called for the construction of 48 ships, and the Navy's fiscal year 1996 plan calls for only the construction of 28 ships.

Since the Navy's report, one fully integrated ship propeller manufacturer has gone out of business. Today there are only two fully integrated propeller manufacturers left in the United States with the capability to design, cast, and machine large monoblock propellers and propeller blades for the U.S. Navy. The Navy's report specifically states that these specialized technologies, processes, skills, and facilities required for the manufacture, including both casting and finish machining, for blades and monoblock propellers, is critical to maintaining an adequate U.S. industrial base to support current and future Navy requirements.

Without this law, the only Navy manufacturer of controllable pitch propellers which go on the majority of our Navy's surface ships will be forced to close its foundry and lay off many of its skilled workers. The reason is simple: Foreign foundries do not have to comply with the same quality controls and environmental regulations imposed on them as foundries operating in the United States. That is the primary reason for not being able to compete with foreign countries, is they do not have to comply with the environmental regulations and the quality control regulations that we have in this country.

If foreign companies want to manufacture propellers for the U.S. Navy, they should come to the United States, open a manufacturing plant and manufacture them and thus be eligible to help provide them.

I do not believe that our country, for the defense-critical systems, should be dependent on foreign sources only. In a time of national emergency, a foreign source may be unreliable or nonexistent.

Mr. FOGLIETTA. Mr. Chairman, would the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Pennsylvania.

Mr. FOGLIETTA. Mr. Chairman, I wish to enter into a colloquy regarding the gentleman's amendment.

Mr. Chairman, as a strong supporter of "Buy America" as well as being a member whose district is home to the Navy's propeller shop and foundry, I wish to clarify the intent of the gentleman's amendment.

I intend to support the gentleman's amendment, and urge my colleagues to support it.

However, I would like the gentleman's assurance that it is not the purpose of this amendment to weaken America's national security position by eliminating or downsizing the propeller shop and foundry in Philadelphia. I believe it would jeopardize our national security if we were to sole-source propeller manufacturing in the private sector.

Mr. CALLAHAN. I am aware that the propeller shop and foundry have been

recognized as a core mission by the Navy. The Navy has stated that it is critical to our national security that it remain operational in support of the fleet.

This amendment would not challenge the Navy's position on the Philadelphia propeller shop and foundry. Its intent is not to cause the closure or downsizing in any way, shape or form of this great facility.

Mr. FOGLIETTA. I thank my colleague.

Mr. SANDERS. Mr. Chairman, would the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I speak in support of the gentleman's amendment. I think he is raising a very important issue, but obviously, as you know, the issue goes well beyond propellers.

During the last 2 fiscal years, the U.S. Defense Department has spent at least \$13 billion in American taxpayer money to buy goods and services from foreign suppliers. My strong hope would be that the gentleman and I and other people who are concerned about this issue can work together to put an end to these practices.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. CALLAHAN] has expired.

Mr. FOGLIETTA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I would just make the point that in the State of Vermont, in the last 3 years we have had four instances, four instances where contracts were made with companies in Vermont but the products were produced abroad. So the gentleman is beginning to touch upon an issue of enormous consequence.

I had an amendment which I am going to withdraw, but I would hope that we can work together to demand, wherever possible, and I think it is a lot more possible than people think, that if we are going to spend American taxpayers' money for defense equipment, for God's sakes, let us have this work done in America and put American workers to work to do that.

□ 1530

Mr. TORKILDSEN. Mr. Chairman, I move to strike the last word.

(Mr. TORKILDSEN asked and was given permission to revise and extend his remarks.)

Mr. TORKILDSEN. Just very briefly, Mr. Chairman, I want to rise in support of the Callahan amendment to require the components of vessels for the Department of Defense to be manufactured in the United States. This amendment makes very good sense. I will not elaborate with details, but I applaud the gentleman for offering the amendment. This is good for our national defense policy, it is good for American jobs. I hope the Callahan amendment is adopted.

Mr. Chairman, I rise today in support of the Callahan amendment to require that components for vessels of the Department of Defense be manufactured in the United States. This amendment makes good sense and has largely been included in the House-passed Department of Defense authorization for fiscal year 1996.

We all know that our defense readiness is in part dependent on our industrial capability to manufacture defense systems. Without this base, we could find ourselves totally dependent on foreign sources, which could be unreliable and possibly nonexistent in time of national emergency. This base, however, may be in jeopardy unless Congress enacts this domestic source statute.

It is troubling when the Clinton administration uses international armaments cooperation as a justification for not supporting American defense manufacturers—the very manufacturers and employees who tax dollars finance the DOD budget. Procuring U.S. manufactured products for defense purposes advances our technological edge, and sustains the U.S. industrial base and the employment base upon which our security depends.

I urge my colleagues to support this important amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. CALLAHAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CALLAHAN

Mr. CALLAHAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CALLAHAN: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds provided in title II of this Act for "FORMER SOVIET UNION THREAT REDUCTION" may be obligated or expended to finance housing for any individual when it is made known to the Federal official having authority to obligate or expend such funds that such individual was a member of the military forces of the Soviet Union or that such individual is or was a member of the military forces of the Russian Federation.

Mr. CALLAHAN. Mr. Chairman, once again, and I have risen so many times in the last several years talking about the very ill-conceived program that the administration fostered in creating an ability of the United States to fund houses for Russian soldiers.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I have no problem with this.

Mr. CALLAHAN. Then, Mr. Chairman, I move adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. CALLAHAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NEUMANN

Mr. NEUMANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NEUMANN: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds available to the Department of Defense for the current fiscal year shall be obligated or expended for costs incurred by the participation of United States Armed Forces units in any operation in the territory of the former Yugoslavia above the level of forces so deployed as of date of enactment.

Mr. NEUMANN. Mr. Chairman, I have this recurring fear that I am going to wake up one morning, turn on the news and find out the President—

Mr. MURTHA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MURTHA] is too late in that the gentleman from Wisconsin [Mr. NEUMANN] has already been recognized.

Mr. NEUMANN. Mr. Chairman, I have this recurring fear that I am going to wake up one morning, turn on the news, and find out the President of the United States has deployed 25,000 United States troops to the Bosnian region. That is why I have an amendment to this bill.

Mr. Chairman, the purpose of this amendment is to require the President to come to Congress for approval prior to the deployment of United States troops in the Bosnian area.

My colleagues, make no mistake about the fact that there are plans on the table currently to deploy 25,000 United States ground troops in the Bosnian area.

On June 14, and I quote Secretary Perry; he said there are three different possible ways, and I quote, "There are three possible contingencies in which we would have ground forces in Bosnia. There are, No. 1, a peacekeeping operation to enforce a peacekeeping settlement; No. 2, assisting NATO allies in the full withdrawal of the U.N. Protection Force; and, No. 3, an emergency extraction of the U.N. Protection Force."

General Shali, who also testified at that same hearing, continued to lay out how many troops might be deployed and for how long, and I quote General Shali, same day:

"In the event of a request from the U.N. for assistance in withdrawal of UNPROFOR troops the U.S. would commit about 25,000 American troops for approximately 22 weeks. In the event a situation arises that requires an emergency extraction the NATO plan has a quick response force using selected NATO forces that are in close proximity to Bosnia. American participation and support of this plan are essential."

So, my colleagues see there are plans on the table currently for the deployment of, the potential of deployment of, 25,000 United States ground troops in the Bosnian area for a 22-week period of time. Again I have to reiterate my concern that one morning I will turn on the news and find out that 25,000 United States troops have, in

fact, been deployed to the Bosnian region. After that I will have to explain to my constituents back home from Racine and Kenosha and Janesville-Beliot, WI, why their sons and daughters have been sent to the Bosnian region.

Many of my colleagues believe that the President alone has the authority to call the shots in this particular debate. However, our Founding Fathers gave us the responsibility to participate in these discussions, discussions that are literally life-and-death discussions to many young people in uniform.

The Speaker of the House clearly laid out our role in this in a June 7 address to the House of Representatives when he said, and I quote:

"You want to cut off troops for Haiti or Somalia, or you want to cut off troops in Bosnia. There is an easy way to do it. It is called the power of the purse."

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I have talked to the gentleman at great length about this amendment, and I have a substitute to the amendment which I think would satisfy certainly me and, I hope, would satisfy the chairman, which would eliminate the extraction part of it from the amendment that the gentleman is offering, because I think it is so important that we have a commitment to the U.N., but, if I could offer this amendment to the amendment, maybe we could continue the colloquy.

Mr. NEUMANN. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. MURTHA] for that purpose.

AMENDMENT OFFERED BY MR. MURTHA TO THE AMENDMENT OFFERED BY MR. NEUMANN

Mr. MURTHA. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. NEUMANN] would have to yield back his time in order for the gentleman from Pennsylvania to offer his amendment.

Mr. NEUMANN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MURTHA to the amendment offered by Mr. NEUMANN: At the end of the amendment add the following: *Provided*, That this section shall not apply to emergency air rescue operations, the airborne delivery of humanitarian supplies, or the planning and execution of OPLAN 40104 to extract UNPROFOR personnel.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MURTHA] is recognized for 5 minutes in support of his amendment to the amendment.

Mr. MURTHA. Mr. Chairman, as I said before, the gentleman from Wisconsin [Mr. NEUMANN] and myself have talked at great length, as has the chairman of the committee.

This is a very delicate situation. We know that the White House, whether it is Republican or Democrat, always opposes any kind of stipulation restricting their ability to deploy troops. But I agree with the gentleman that we have not only the right, but the obligation, to insist on authorization before troops are deployed in a humanitarian sense. I do not agree if it is a national security issue; I believe the President does have the ability under the Constitution.

I would hope that the gentleman would accept this amendment. We could take this to conference, and, if the chairman would accept this amendment, then we would be able to then work out the final language with the White House which would give us some leverage over what happens in the future in these humanitarian deployments.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment to the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA].

Mr. Chairman, in the last several years the members of our subcommittee have done everything we possibly could to keep this from becoming an American war, and the gentleman from Wisconsin [Mr. NEUMANN] has been a very strong advocate of that. However, we do have to recognize, as the gentleman from Pennsylvania mentioned, our commitment to the United Nations. I would mention in addition our very strong treaty commitment to our NATO allies, and, if our NATO allies become embroiled or endangered, we do have a commitment to come to their rescue.

So, Mr. Chairman, I believe the amendment offered by the gentleman from Pennsylvania to the amendment offered by the gentleman from Wisconsin is a good amendment. It makes the overall legislation acceptable and certainly would, I believe, fit within the realm of the Constitution, and so I would hope also that the gentleman would be willing to accept this amendment and that we can just get on to the next item.

Mr. Chairman, I yield back the balance of my time.

Mr. NEUMANN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, just so I fully understand what is being proposed here, what we are saying is that the President would be required to come to Congress to request funds prior to deploying troops for the peacekeeping, for the enforcement of the peacekeeping settlement, as described by Secretary Perry on June 14, but he would not have to come to request funds to aid in the withdrawal of the French, British, the Dutch, our allies, in the area.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Pennsylvania.



Mr. MURTHA. That is correct, and the gentleman has to understand, of course, obviously this does not go in effect until the bill is passed and signed with the President, and we know there will have to be such negotiation before it is finalized.

Mr. NEUMANN. I would be willing to accept the amendment, but I would like to just add that I have some very strong reservations even in those situations of deploying U.S. troops in the region.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA] to the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SKELTON: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds provided in this Act may be obligated or expended for the provision by the United States of military training for military forces of the Government of Bosnia and Herzegovina.

Mr. SKELTON. Mr. Chairman, I bring this issue to the floor of this House because it involves the potential problem of American military forces being where Americans do not want them to be.

Mr. Chairman, I realize that there are negotiations ongoing at the present time, and I realize that this is a sensitive area of discussion, though I am convinced that I am right, and I will use my few moments on this floor to speak of this issue.

This amendment which I offered states that none of the funds provided in this act may be obligated or expended for the provision by the United States of military training for military forces of the Government of Bosnia and Herzegovina. We all know that the measure known as the Dole amendment passed. What the future of that will be after a veto I cannot say. But I do know that the lifting of the embargo would allow the Bosnia and Herzegovina Government to purchase arms and undoubtedly purchase many of them from us. They are not artillery oriented. They are infantry strong. The Bosnian Serbs are artillery strong, and these weapons that the Moslem Government of Bosnia and Herzegovina would purchase obviously would require people to train them and teach them how to use them.

The question is who would that be? If they buy arms from us, undoubtedly it

would be members of our military force, and this is what concerns me. These Bosnian and Herzegovinan Moslem soldiers will not be coming to Fort Sill, OK, to be learning how to shoot artillery. It will be done in country, in all probability trained by American soldiers. This concerns me a great deal.

Now, Mr. Chairman, because there are sensitive negotiations going on at this time, I raise this issue so that the Members of this body will understand my deep concern. I say to my colleagues, Mr. Chairman, that the Balkans are not worth the life of one American soldier. This lifting of the embargo, unless my amendment would prevail, it allows Americans to go in and train, and if some of that does not work, they might become advisers, and then we see Vietnam all over again.

□ 1545

Because of the sensitivity of this and the negotiations at this time, subject to the opportunity at a future date to offer this issue and debate it fully, I ask unanimous consent to withdraw this amendment because of the concerns for the sensitivity of the various negotiations that are ongoing.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, and I do not intend to object, but I would like to point out to the gentleman from Missouri, who is one of the House's leading experts in the field of national defense and our national security, that the subcommittee spent a lot of time reviewing this entire matter. I would like to call to the attention of our colleagues the fact that the bill before us has seven pages of restrictions and direction as to the proper relationship between the President and the Congress on the issue of deployments for peacekeeping or whatever other purpose.

I appreciate the gentleman withdrawing his amendment, because actually the language in this bill is really very good and has been very well thought out.

Mr. Chairman, I withdraw my reservation of objection.

Mr. SKELTON. Mr. Chairman, if I may respond to our chairman of the subcommittee, and by the way, the gentleman does an excellent job and I appreciate it, and I am glad that the subcommittee reviewed this issue, because I am deeply concerned that one thing will lead to another and if there are not proper restrictions, if there is not proper language, we could very well find ourselves involved where we do not intend ourselves to be involved.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I offer an amendment, amendment No. 7 to title VIII.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FARR: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds appropriated by this Act or any other Act for any fiscal year may be obligated or expended in a total amount in excess of \$6,700,000 for the relocation, as a result of the report of the 1995 Defense Base Closure and Realignment Commission, of the activity of the Army Operational Test and Experimentation Command that is located at Fort Hunter Liggett, California, as of July 1, 1995.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order against this amendment.

The CHAIRMAN. A point of order is reserved.

The gentleman from California [Mr. FARR] is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I have discussed this amendment with the gentleman from Florida [Mr. YOUNG], and I understand it may not be in order. However, I believe my amendment addresses an important issue, and I would like to speak briefly on the matter before withdrawing the amendment.

Mr. Chairman, my amendment prevents the Army from wasting Federal tax dollars to implement a recommendation by the BRAC Commission. The recommendation would relocate the TEXCOM Experimentation Center from my district to another facility. In their proposal to the BRAC, the Army claimed this move would cost no more than \$6.7 million. It is this figure which BRAC used as a basis for its final recommendation to move the facility. However, there are Army documents that show that it may cost as much in fact as \$13 million or more.

Mr. Chairman, let me quote from a recent U.S. Army Forces Command document which states that "Significant one-time costs are \$17 million for realignment. There are no savings to be realized in this action."

Mr. Chairman, the purpose of my amendment is to hold the Army to its word that the relocation of TEXCOM would be cost-effective and save money important to the American taxpayers. If, as the Army claims, they can move TEXCOM for only \$6.7 million despite their own estimates, then my amendment would change nothing. If, however, the Army attempts to convince BRAC to move the facility by raising it one figure and then raid the defense budget to meet the cost of the second higher figure, then my amendment would prevent such a move. In short, my amendment requires the Army to keep their word.

Mrs. SEASTRAND. Mr. Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentleman from California.

Mrs. SEASTRAND. Mr. Chairman, the BRAC Commission voted to realign an experimentation unit from Fort Hunter Liggett to Fort Bliss, TX under an assumption that it would save the

American taxpayers close to \$68 million over the next 20 years, we have information that shows it will cost the taxpayers over \$120 million to realign this facility—a simple \$188 million error above what the BRAC Commissioners were led to believe.

The Commission was also led to believe that there would be a one time cost of \$6.7 million to realign this base when in actuality it will cost closer to \$43 million—over six times the projected one time cost.

I believe the realignment of this base weakens the best military training facility available to our service members. I also believe that the goal of saving taxpayer money by this realignment has not been met.

In addition, I believe the BRAC Commission did not have the best data on which to base their decision. It is for these reasons I support this amendment which would require the Army to realign Fort Hunter Liggett for the amount of money the BRAC Commission based its decision.

Mr. FARR. Mr. Chairman, reclaiming my time, I thank the gentleman from Florida [Mr. YOUNG] for his important help in this matter. I look forward to working with him in the future on this problem.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment to title VIII.

The CHAIRMAN. The Chair would inquire if this is the identical amendment that was previously offered?

Mrs. SCHROEDER. Yes, Mr. Chairman, it is the identical amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. SCHROEDER: Page 94, after line 3, insert the following:

SEC. 8107. (a) LIMITATION ON THE USE OF FEDERAL FUNDS BY CONTRACTORS FOR POLITICAL ADVOCACY.—None of the funds made available by this Act may be used by any Federal contractor for an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Carrying on propaganda, or otherwise attempting to influence Federal, State, or local legislation or agency action, including any of the following:

(A) Monetary or in-kind contributions, endorsements, publicity, or similar activity.

(B) Any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or any segment thereof, including any communication between the contractor and an employee of the contractor to directly encourage such employee to urge persons other than employees to engage in such an attempt.

(C) Any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any governmental official or employee who may participate in the formulation of the legislation or agency action, including any communication

between the contractor and an employee of the contractor to directly encourage such employee to engage in such an attempt or to urge persons other than employees to engage in such an attempt.

(2) Participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including monetary or in-kind contributions, endorsements, publicity, or similar activity.

(3) Participating in any judicial litigation or agency proceeding (including as an *amicus curiae*) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the contractor or potential contractor is a defendant appearing in its own behalf; is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that contractor or potential contractor.

(4) Allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(b) LIMITATION ON USE OF FEDERAL FUNDS TO AWARD CONTRACTS.—None of the funds made available by this Act may be used to award a contract when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeded the sum of—

(A) the first \$20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05; and

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of non-partisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision there in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees. Other than communications described in subparagraph (c).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency

(where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

Mrs. SCHROEDER. Mr. Chairman, as I said before, I think this is a terribly important amendment in that it does for profits what we did to nonprofits earlier this year in an appropriation bill.

Earlier this year, the Istook amendment was adopted by this House, and what it did was say that groups, and there are over 460 of them, such as the American Cancer Society, the American Red Cross, the American Society for Prevention of Cruelty to Animals, the Baptist Joint Committee, the United States Catholic Conference, the YMCA, the YWCA, March of Dimes, Multiple Sclerosis, and on and on and on, would not be allowed to use their own funds to lobby in the Congress. This was called defunding of those groups, and that was thought to be very fair. If that is fair, then it is certainly fair to say to profit groups that are getting huge Government contracts that they also should not be using their funds to lobby Congress in this manner.

Now, this amendment is written in exactly the same form as the Istook amendment. It is a limitation on the use of Federal funds by contractors for political advocacy, which means obviously coming to a Federal contractor, having any activity which would be made known to a Federal official or having the authority to obligate or approve or vote for funds that would benefit them. I think this is terribly important, and I certainly, certainly hope that we can in fairness do for the profits what we did for the nonprofits, or I think a lot of people are going to say wait a minute, wait a minute. If you are a nonprofit, do-good group that is collecting it for dues, that is one thing. However, if you are out there and you are making big profits, then you can do whatever you want to with Federal money to lobby to get more of it. I think that would really tilt the scales of justice. All of this is about making sure the scales are even.

Mr. Chairman, I would say after we adopted the Istook amendment on the nonprofits that we certainly should be adopting the Schroeder amendment on the profit side in this area, and I hope we can get a strong aye vote and move on.

Mr. Chairman, today I intend to offer an amendment that would crack down on defense special interests. Recently, this chamber voted to limit the ability of nonprofit organizations to lobby. The provision, Representative ISTOOK's amendment to the Labor, HHS, and Education appropriations bill, limits the ability of recipients of Federal grants to lobby with their non-Federal funds.

While I voted against this limitation on the floor based on constitutional grounds, I recognize the writing on the wall. The majority of this Chamber believes that the ability of special interests to peddle their influence should be seriously curtailed. Assuming that this provision may become the law of the land, shouldn't it then include the real special interests, that is, defense contractors?

Lockheed Martin is now the Nation's largest defense contractor. Their total revenues amounted to \$22,900,000,000, 62.9 percent of their revenues were derived from defense-based revenues. In 1994, they received \$9 billion in prime contracts from the Department of Defense.

Another example? The political action committee for Northrop Grumman and the major B-2 subcontractors contributed \$150,850 in the first 6 months of 1995 to 115 Republican Members of the House. They organized subcontractors to lobby their own State delegations. They organized and paid for fact-finding trips for Members, and invited staff to their B-2 factory in California. The result? The House committees authorized and appropriated \$553 million and \$493 million respectively for the first installment of 20 new B-2 airplanes, which, according to the GAO, can't tell the difference between a mountain and rain.

Which do you think peddles more influence, nonprofits or defense contractors? It is not the YMCA, the Girl Scouts, the Sierra Club, or the Children's Defense Fund. Influence in this town is bought and sold. Logically, it follows that the most influence resides with the most money—the contractors. What is good for the goose is good for the gander. Support my effort to create equity between nonprofit and for-profit lobbyists.

#### CAMPAIGN CONTRIBUTIONS FROM DEFENSE FIRMS

##### LOCKHEED

1995-96—Democrats: \$0, Republicans: \$59,400 (37 Candidates), Total: \$59,400.

1993-94—Democrats: \$338,210 (128 Candidates), Republicans: \$254,401 (120 Candidates), Total: \$592,611.

##### MCDONNELL DOUGLAS

1995-96—Democrats: \$31,000 (37 Candidates), Republicans: \$57,749 (70 Candidates), Total: \$88,749.

1993-94—Democrats: \$160,350 (111 Candidates), Republicans: \$80,150 (72 Candidates), Total: \$240,500.

##### NORTHROP GRUMMAN

1993-94—Democrats: \$94,555 (70 Candidates), Republicans: \$51,050 (46 Candidates), Total: \$146,355.

##### LITTON INDUSTRIES

1995-96—Democrats: \$9,500 (13 Candidates), Republicans: \$19,299 (26 Candidates), Total: \$28,799.

1993-94—Democrats: \$52,700 (40 Candidates), Republicans: \$60,400 (44 Candidates), Total: \$113,100.

##### GENERAL DYNAMICS

1995-96—Democrats: \$33,050 (35 Candidates), Republicans: \$74,700 (56 Candidates), Total: \$107,750.

1993-94—Democrats: \$235,862 (106 Candidates), Republicans: \$149,250 (74 Candidates), Total: \$385,112.

#### 1994 Defense Firm Revenue from Sales to U.S. Government

Lockheed, \$16.564 billion (Lockheed's revenue has also been shown to be \$14.4 billion). McDonnell Douglas Corp., \$9.2 billion. Northrop Grumman, \$5.41 billion.

Litton Industries, \$3.16 billion.

General Dynamics, \$2.862 billion.

Mr. LIVINGSTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I know it is a thoughtful amendment and on first glance, it probably looks like a good idea. After all, what is good for the goose is good for the gander if you are dealing with apples and apples and oranges and oranges and that sort of thing. The fact is we are not. We are dealing with apples and oranges. We are dealing with two entirely different concepts.

One is a concept of direct agency, if you will. When the U.S. Government contracts with a public charitable organization to provide charitable services to the American people or abroad, in effect that charitable organization becomes the agent of the U.S. Government. It is taking U.S. taxpayers' money exclusively, subtracts an administration surcharge which they do not pay taxes on, then dispenses what is left to the eligible recipient, to the person who is in need, or to the group of people that are in need.

That is legitimate. That is a legitimate function of Government, and it is perfectly acceptable and should be encouraged. The agency is exclusively taking nonprofit money or money from the American taxpayer to render service to a beneficiary, and any money that they divert for their own costs should not be used to go back and lobby for more money that is in effect not the purpose for which the money was intended in the first place.

In other words, it is a diversion of money, Mr. Chairman. It is a diversion from the purpose for which the money was intended. The money was intended to go to the beneficiary, not to the agency to lobby for more money. The agency is supposed to administer taxpayers' money for some good, altruistic purpose.

In the case of the contractor, there is no agency. A defense contractor is like any other contractor, and I do not know why the gentlewoman stopped at defense contractors. I do not know why she did not just go out and say any time the U.S. Government contracts with anybody for a product or service for the Government's use you cannot lobby.

But, if she did that, No. 1, is a denial of the privilege of the first amendment, which is the right of speech under the Constitution of the United States, to exercise their opportunity to speak to their government, to the representatives of their choice, because in fact you would be applying it to everybody in America. But since you have limited it to just defense contractors or just individuals who provide services or goods to the U.S. Government for the purposes of defense, it is not everybody, it is just tens of millions of people.

Now, we already have title X of the United States Code for the Armed Forces, which deals with all of the ac-

tivities affecting contracts between vendors in the defense arena and the U.S. Government. In fact, this document here, title X, is something like 16,000 pages thick. Well, I do not know how many pages. It is thick. I do not think anyone will deny that.

That is a compilation of law accruing over the last 30 or 40 years. The last time I checked, the gentlewoman from Colorado has been on the Committee on National Security for the last 18 to 20 years, and so she has played a vital role in affecting this document. I do not recall that she has come forward and said that no contractor in the defense arena cannot lobby, or can lobby the U.S. Government until now, but she may have. But she is doing it now, and she is entitled to do it. But let us not get confused. Anybody who renders products or services to the Government for profit is a private individual, is a private contractor, is working for a living, making products, rendering services, just like any private individual in this country, and does not depend for his income exclusively on the American taxpayer is not a salaried employee of the American taxpayer, is not an agent of the American taxpayer or the American Government.

The other instance in which Mr. Istook offered the amendment earlier in another bill is a system, or is an instance of agency versus contract for hire.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

(By unanimous consent, Mr. LIVINGSTON was allowed to proceed for 2 additional minutes.)

Mr. LIVINGSTON. Mr. Chairman, we are dealing with agency versus contract for hire, contract for products. There is a real distinction, and to say to anybody who is a contractor who deals with the Federal Government that you cannot lobby is in essence, frankly, to deny their rights under the first amendment of the Constitution of the United States and totally flies in the face of any constitutional principles that I know of.

□ 1600

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. LIVINGSTON. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, first of all, let me answer why it only applies to defense contractors, and that is because of the scope of this bill which I know the gentleman understands. I obviously cannot do it for the universe because we are within this context only, so that is easy.

Let me then go on and say I do not think that what we are trying to say here is not that they cannot lobby, it is that they cannot use Federal funds that they are getting for this to keep lobbying to get more. It is like once you get in the trough, you just keep getting more to feed more, which was what the concern was, I think, in the Istook amendment when people were

concerned that some of the agencies might use some of the Federal money that was supposed to go to beneficiaries instead of lobbying to get more.

Mr. Chairman, I think the analysis here is rather similar. We want the analysis to be on a threat based by neutral people rather than people who got a lot of money to manufacture something or make something, then trying to find out more reasons and spend the same money to spin more reasons to convince us we should buy even more for them. That is a heck of a deal. That is a heck of a deal.

Those regulations you are showing, this person has been trying for 20 years to find ways to close that door. We have never been able to really close that door very well. That is why I am saying doing the mirror image of what we did to nonprofits makes an awful lot of sense because maybe it will then be clear across the board and very fair.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. LIVINGSTON] has again expired.

(By unanimous consent, Mr. LIVINGSTON was allowed to proceed for 2 additional minutes.)

Mr. LIVINGSTON. Mr. Chairman, if the gentlewoman would allow me to clarify something, is it her intent with this amendment to say that no contractor will use Federal funds but will not be denied the right to lobby by using their own private funds?

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will continue to yield, this is titled "limitation on the use of Federal funds by contractors for political advocacy." I do not know how you can be any clearer than that. That is the title of this.

Mr. LIVINGSTON. Mr. Chairman, lots of titles of lots of bills and lots of amendments are deceiving as much as we might intend it otherwise. I specifically would like the gentlewoman to express her intent, her individual intent, the author of this amendment's intent. Would a contractor who expressly uses his or her, or its own money, private money, be entitled to lobby under her amendment?

Mrs. SCHROEDER. The gentleman is correct, because what my amendment says is that it is a limitation on the use of Federal funds to award contracts. None of the funds made available by this act, this act, period. That is about as clear as I know how to make it. Funds made available by this act, which is the defense act going to defense contractors, can be used to go out and lobby for more next year. What we are really saying is the money we are allocating today goes for weapons, not for a way to make sure you get in next year's bill.

Mr. LIVINGSTON. Mr. Chairman, next year the money becomes privatized once it become awarded. I understand the intent, but once money is earned on a contract, it becomes private. How does one determine whether or not that is money from this act, this particular contract?

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. LIVINGSTON] has again expired.

(By unanimous consent, Mr. LIVINGSTON was allowed to proceed for 2 additional minutes.)

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will continue to yield, again, all of those regulations are about the fact that they have to show their costs. We know, if anything, we probably have too many regulations overregulating, making sure we know that. We make sure we have all sorts of people doing oversight everywhere in the Defense Department because we do not just let them guess what it is going to cost and then find out they spent half the money to go out on a cruise instead. We know we are supposed to be doing that oversight. So that is how we know and I think it is very clear.

Mr. LIVINGSTON. Mr. Chairman, if it is the gentlewoman's express intent not to deny private individuals, private corporations, from using their own private funds for lobbying the U.S. Congress, and that her intent is exclusively to deny the right of use of Federal funds for lobbying, then I withdraw my objection.

Mrs. SCHROEDER. I am delighted that the gentleman from Louisiana withdrew his objection. That is my intent and I thank the gentleman for yielding to me.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment, No. 9.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: Page 94, after line 3, insert the following new section:

SEC. 8107. Notwithstanding any other provision of this Act, the amount made available for the National Foreign Intelligence program (other than for the Central Intelligence Agency Retirement and Disability System Fund) from the appropriations provided in this Act shall not exceed 90 percent of the amount made available for such Agencies (other than for such Fund) from the appropriations provided in the Department of Defense Appropriations Act, 1995 (Pub. L. 103-335).

Mr. SANDERS. Mr. Chairman, I have an amendment at the desk which is co-sponsored by the gentleman from New York [Mr. OWENS].

Mr. Chairman, this amendment is simple and should be supported, although I doubt that it will, by all deficit hawks and those of us who are concerned about a cost-effective government. It cuts funding for the national foreign intelligence program by 10 percent. That is a 10-percent cut in funding for the CIA, and it is a 10-percent cut to the intelligence activities and the Drug Enforcement Administration, the FBI, the National Reconnaissance

Office, the National Security Agency, the Defense Intelligence Agency, and other intelligence agencies.

Mr. Chairman, again, let me reiterate that this does not cut the funding for the entire agency. It merely cuts the funding for their intelligence gathering activities.

I would also like to point out that this amendment does not cut intelligence funding for war-time operations. Both tactical and joint military intelligence are not cut. This amendment does not compromise our military strength.

Furthermore, Mr. Chairman, this amendment does not affect the CIA retirement and disability fund.

Recent articles in the Washington Post and other publications estimate that the entire intelligence budget is approximately \$29 billion. According to information from a variety of publications and from public documents, about \$16 billion of that budget goes to the national foreign intelligence program. That means that this amendment, if adopted, would save the taxpayers of America about \$1.6 billion, and even in Washington that is a lot of money.

Mr. Chairman, how do we explain to the American people that Congress is considering major cuts in Medicare, which will have a disastrous impact on the lives of many elderly people; major cuts in Medicaid, which will hurt senior citizens and low-income people; major cuts in student loans, in education; major cutbacks in nutrition programs, in housing and in the environment and a variety of other programs which will impact on tens of millions of people in the middle class, the working class, the elderly, low-income people. How do we say that we can go forward in those areas but, despite the end of the cold war, despite the fact that the Soviet Union no longer exists, that we cannot make at least a 10-percent cut in the intelligence budget and save the taxpayers \$1.6 billion?

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as we find ourselves in a world where there are more and more intelligence targets popping up every day, it is not a good idea to further reduce our intelligence budget. Now, I say further reduce because we have already reduced this budget by 16 percent since 1990. We have far less intelligence spending today than we did during Desert Storm. The intelligence community work force is going through a significant downsizing. In the next three fiscal years the work force will be 23 percent smaller than it was in 1990.

The Sanders amendment would affect the intelligence community's ability to support policymakers, military leaders at the national, theater, and tactical levels and law enforcement officials. It could impact critical support to deployed military commanders and tactical forces such as those in Bosnia;

critical investments in satellite collection initiatives that are intended to aid our deployed military forces, counternarcotics, international crime and counterterrorism collection, and analytical capabilities would all be affected; as well as our ability to keep pace with the telecommunications developments which are growing dramatically. We cannot afford to do this.

Mr. Chairman, our intelligence budget is already, in my opinion, below the level where it should be. What are some of the targets? What are some of the areas where we have to have intelligence if we are going to protect the U.S. interests and U.S. personnel. Bosnia is the very obvious location. Iraq is very obvious. North Korea, has been in the media for months as well as Russia and the former Soviet states. Libya and Syria have terrorism groups who have threatened the United States interests. Those who would proliferate nuclear weapons, chemical and biological weapons, and we cannot deny the fact that these are all happening. We have to know where and how.

Drugs. Narcotics. The post-cold-war environment. When the Berlin Wall came down and the Iron Curtain melted, we all breathed a sigh of relief and thought, hey, the world will be a beautiful place, full of peace. But while we are still applauding ourselves, up out of the sands of the desert comes Saddam Hussein.

We have to have intelligence. The United States, being the Nation that we are, we have to have adequate intelligence. And I say again, in this bill, we have reduced the intelligence budget to a level actually below where I think it ought to be. A further 10 percent cut just is not acceptable.

Mr. Chairman, as much as I agreed with and supported the gentleman from Vermont [Mr. SANDERS] on his earlier amendment, I have to oppose this one with equal fervor because this would be extremely dangerous.

Mr. OWENS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hope the taxpayers are listening very carefully. Taxpayers are angry and they have good reason to be angry. We are paying too much taxes. Taxes should be lowered for families and individuals, while we raise taxes for corporations. Families and individuals are paying something like 44 percent of the tax burden. Corporations are only paying 11 percent, but that is a discussion for another time.

The other way we deal with the way our money is being handled is by streamlining and downsizing and cutting out waste in Government. Here is a concrete example of extreme waste in Government. We cannot talk about concrete figures because they will not give them to us, but there is general agreement. Nobody ever challenges the figure, but the overall intelligence budget is about \$28 billion, no less than \$28 billion. We are talking today about one portion of it which deals with information gathering activities related

to the military which everybody agrees is no less than \$16 billion.

In previous amendments we have called for a 10-percent cut in the overall intelligence budget, and that would have been \$2.8 billion, or a 10-percent cut for 1 year. And then we said over a 7-year period of course that adds up to much more.

This is a reasonable amendment, very reasonable. As the gentleman from Vermont [Mr. SANDERS] pointed out, it does not apply in wartime. A number of things are exempted. It is understood that we need an intelligence operation. Nobody is saying we do not need it.

What we are saying is that, while we are streamlining, while we are downsizing, while we are going after military pensions and the pensions of Government employees, while we are cutting Medicare, while we are cutting Medicaid, while we have just cut the budget of the title I program for education by \$1.1 billion, while we have cut out the whole summer youth employment program, while we are doing all this, then let us look at a piece of waste in this budget which is obvious. It is obvious that we do not need the CIA at the same level as we had it before.

□ 1615

The gentleman before us said, and I will take him for his word, he said we have cut it by 16 percent since 1990. If half of the total activities of the CIA budget were dedicated to the Soviet Union, the evil empire, a major opponent, the other superpower, it used to be the other superpower, a real threat, half of the intelligence budget was dedicated to the Soviet Union, if half of the budget was dedicated to the Soviet Union and the Soviet Union is no longer that kind of threat, then surely we can cut the budget.

If Members say the Soviet Union does not exist anymore, the fragments of the Soviet Union still constitute some kind of threat, let us cut the budget not by half, let us cut it by 25 percent. That is reasonable, instead of 16 percent, let us cut it by 25 percent, which means we have some more cutting to do. We can cut.

We are talking about very real money, that if it is not cut here, will be cut from somewhere else. We can use this \$1.6 billion a year. The \$1.6 billion per year could be used to replace the \$1.1 billion we just cut from the title I program for children's education. That is where we need the intelligence.

Our intelligence budget should be increased in the area of education. Nothing is more significant, nothing is more important for the security of the Nation than an informed population, than a well-educated population. The brain power of America will decide whether we remain a superpower and the leader of the world, or not.

That brain power is suffering right now because we just cut it \$1.1 billion.

Here is an opportunity to make a cut where it should be, \$1.6 billion, out of the intelligence budget. What does the intelligence budget do? The present budget, it is bloated, and because it is bloated, because there is too much bureaucracy, because they do not have enough things to do, they get into situations like the Aldrich Ames situation.

This should be called, partially, the Aldrich Ames Cleansing Act. Aldrich Ames, who had a high place in the CIA, for years did nothing but destructive activities. He carried on a whole series of destructive activities for many years, for which he was paid millions of dollars by the enemies he was supposed to have been spying upon. Aldrich Ames could get away with that because it had no significance. It had significance in terms of the people who died, agents who were in the service of this country died as a result of Aldrich Ames' treacherous activities, but it did not have any significance on peace or war in the world. It had no significance with respect to the security of the United States. We do not need to keep spending \$16 billion in this particular area and \$28 billion overall for the CIA. We can cut the intelligence budget.

Mr. COMBEST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I could not agree more strongly with the gentleman from Florida [Mr. YOUNG], the chairman of the Subcommittee on National Security of the Committee on Appropriations. I might also mention the gentleman from Florida is a member of the Permanent Select Committee on Intelligence.

I could not any more eloquently outline why we should not accept this amendment. Rather than repeat a number of the things that the gentleman from Florida said, Mr. Chairman, what I would like to do is to quote from a speech which the President, Mr. Clinton, made to employees of the Central Intelligence Agency recently on a visit that he made there.

Today, because the Cold War is over, some say that we should and can step back from the world and that we don't need intelligence as much as we used to; that we ought to severely cut the intelligence budget. A few have even urged us to scrap the central intelligence service.

I think these views are profoundly wrong. I believe making deep cuts in intelligence during peacetime is comparable to canceling your health insurance when you're feeling fine. We are living in a moment of hope. Our Nation is at peace. Our economy is growing all right. All around the world, democracy and free markets are on the march. But none of these developments are inevitable or irreversible.

Now, instead of a single enemy, we face a host of scattered and dangerous challenges. They are quite profound and difficult to understand. There are ethnic and regional tensions that threaten to flare into full-scale war in more than 30 nations. Two dozen countries are trying to get their hands on nuclear, chemical, and biological weapons. As these terrible tools of destruction spread, so too spreads the potential for terrorism and for criminals to acquire them. And drug

trafficking, organized crime, and environmental decay threaten the stability of new and emerging democracies and threaten our well-being here at home.

In the struggle against these forces, you, the men and women of our intelligence community, serve on the front lines. By necessity, a lot of your work is hidden from the headlines. But in recent months alone, you warned us when Iraq massed its troops against the Kuwaiti border. You provided vital support to our peacekeeping and humanitarian missions in Haiti and Rwanda. You helped to strike a blow at a Colombian drug cartel. You uncovered bribes that would have cheated American companies out of billions of dollars. Your work has saved lives and promoted America's prosperity.

Mr. Chairman, those are words from a speech that the President made to employees of the Central Intelligence Agency. I do not normally quote the President. However, I do not think it could be better summed up. I rise in strong opposition to this amendment and would urge my colleagues to vote "no."

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am touched by the endorsement of the Republican chairman of the Permanent Select Committee on Intelligence of the Clinton policy in this regard, but I have to disagree with it. In fact, we are being told a couple of unbelievable things. Essentially we are being told that the collapse of the Soviet Union means that there is no opportunity to save money in intelligence. We are told there is, after all, Iraq and Iran and Libya. I agree.

I disagree with the implicit assumption that there was no Iraq in 1986, that Libya was created in 1983, and that Iran just floated down. All of those other threats were there at the same time. Ten years ago we were dealing with the terrorist threats in Syria, in Iraq, and Libya. Those were not the Andrews sisters a few years ago who suddenly turned ugly on us. Those countries and the threats they projected were a fact 10 years ago.

We also had, as the primary focus of our national security expenditure, a Soviet Union which led an unwilling empire of many other nations that were being held captive, that threatened our very existence. Yes, there are problems in the world today. There are people who run countries today who in a good world would not even be allowed to drive cars. They mean us harm and we need to defend ourselves.

However, we have succeeded in helping bring about the collapse of our single greatest enemy, so that the vast amounts of money and technology we had to spend to watch the Soviet Union and its capacity to make nuclear war on us, to deal with the Warsaw Pact and the millions of men under arms that threatened us there, they are substantially diminished.

The notion that with this collapse of the major part of the threat there is no grounds for savings is nonsense, but it is not simply abstract nonsense. It is

now nonsense that drives us to say that college students will not get the kind of student loans they used to get, that drives us to say that we cannot afford enforcement in environmental areas, that drives us to take money away, so that public housing projects have recently been told, thanks to the rescission that the other party put through, that needed repairs to elderly housing will have to be deferred.

The argument that we cannot make substantial cuts when the substantial threat has diminished is nonsense. Everything that is now a threat today was a threat 10 years ago. There are no brand new threats in the world. What is new is that we do not have this ongoing likelihood of thermonuclear war, and what we are saying is we believe that at least a 10-percent cut is possible, given the collapse of that central threat.

I was also struck when the chairman of the subcommittee, my elevator buddy that I travel with up and down, said "We have cut 16 percent," because I do not believe we have cut 16 percent in nominal dollars. That is, I do not think the dollar amount today is 16 percent less than what it was. I think he was saying that in real terms it has been cut. That is, it has not been allowed to keep up with inflation.

That is very striking, because my Republican friends in particular, when we are talking about a program that they like, suddenly start talking about real terms, and the failure to keep up with inflation is considered a cut. When they are talking about programs they do not like, that gets reversed.

In fact, there has not been a 16-percent reduction in the dollars. What they are saying is it has not been allowed to keep up with inflation, but it has not been aimed at inflation, it has been aimed at the Soviet Union.

One other point. If any other agency of government had had the kind of disaster that the Central Intelligence Agency had with Aldrich Ames, we would be talking about the need to cut back on their money because they were so badly run. They employed a Russian spy. If HUD had working for it a person who was secretly demolishing good housing, HUD would be held to account. If the NIH had somebody who went around and spread the plague we would say "We have to control them."

The CIA is like the Defense Department. If they screw up badly, this house will reward them with more money, the theory apparently being that since they wasted so much of what we gave them, we had better give them some more to make up for it. It is an absolute reversal of the normal rules. If a domestic agency mispends money, they are in trouble. When others in national security do, they get rewarded. If our national security was at stake, that would be a factor, but in this bill we are ignoring the savings that the American people are entitled to by the collapse of that threat to our national security.

Mr. DUNCAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment, and I will not take the full 5 minutes, but I will say briefly that I feel this is a very reasonable amendment, a very moderate amendment, and in fact, I would make an argument that it is a very conservative amendment. As most people in this House know, I think I have one of the highest percentages of voting with the majority of my party in the years since I have been here.

I know that not many on my side of the aisle will be voting for this amendment, but I am very pleased that many or several leading conservative organizations have voiced support for this, including very strong support from the Citizens for a Sound Economy, because this is a conservative amendment, because it would save a substantial amount of taxpayers' money.

Many of us saw on the front page of the U.S.A. Today a few days ago that our national debt has now reached over \$5 trillion. Alice Rivlin, who is the President's Director of the Office of Management and Budget, put out a memo a few months ago and said we will have yearly losses of over \$1 trillion a year by the year 2010, and over \$5 trillion a year by the year 2030, if we do not make major changes now. This is one area that can be reduced without harmful effect, because even if this amendment goes through, we can still have a very strong, even a lavish intelligence operation in this country.

I favor a strong intelligence operation, but surely to goodness we can have a good, strong intelligence operation with all the many billions that would be left, even if this amendment passed. If this amendment passes, and it is a cut of 10 percent of a little over half of our intelligence operation in this country, if this amendment passes we will still be spending more than twice the annual budget of the entire State of Tennessee for all that it does; and Tennessee, with a little over 5 million people, is exactly typical, and almost exactly average, in all areas of spending compared to other States, all the other States in this country, so we can still have a very active intelligence operation.

Let me tell the Members what some of this money is being spent for. Last year it was reported on the front page of the Washington Post that the National Reconnaissance Office was building a secret building out here in Virginia, spending \$310 million for a 1-million-square-foot building. That is \$310 a square foot, about three times the amount that State governments spend on beautiful buildings all over this country. They are spending in these lavish, ridiculous ways because they are not being held back or not being held accountable in the way that they should be for taxpayer money.

These agencies, our intelligence agencies, unfortunately did not predict

the coming down of the Berlin Wall, they did not predict the breakup of the Soviet Union. They are doing these esoteric studies and benefiting and helping no one, really, other than the bureaucrats who work for these agencies.

Therefore, I think it is time to step back and take another look at some of these agencies, and reduce their spending at the very time that we are downsizing the military. Many people, most people that I represent, would feel that we should really downsize the intelligence operations even more, and perhaps downsize the military of this country a little bit less, so I think this is a very fair, reasonable, amendment, and I urge its support.

□ 1630

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today's entire debate seems to be an exercise in delusion.

For those who have not been following events in the world, let me repeat something that doesn't seem to be getting through: The cold war is over. And now that the cold war is over, what in the world are we doing increasing the intelligence budget?

We simply have no business doing this at a time when we are slashing funds for Medicare, student aid, and child nutrition.

And, we have no business doing this at a time when the threat we are facing in this world is much reduced.

Mr. Chairman, it's time for this Congress to wake up and snap out of it. The cold war is over. It's time to cut the intelligence budget. This cut is fair, this cut is needed, and this cut should be passed.

The Sanders-Owens amendment saves over 1.5 billion. It needs our support.

Mr. BECERRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was listening to the debate and watching the debate from my office when I was compelled to come here, because, as I remember, during the debate on the appropriations bill dealing with education programs, with programs for our working men and women to protect them at the workplace, for health programs for seniors, we made dramatic cuts in some of those programs, in some cases eliminating programs.

For example, we cut out every single dollar that we put in to subsidize seniors' payments of their home heating bills during the times in the winter when it is very expensive, especially on the east coast, to try to heat your home. This is for families, mostly seniors, as I said before, who are on subsidized incomes already and who are finding it very difficult to pay their bills, very expensive heating bills. We saw the case in Chicago recently where 400 people died because they had problems keeping their places cool enough to stay there and live, 400 people dying.

We cut dramatically into those programs, in some cases eliminating. Here

we find that we are increasing a budget, and we cannot say the number because it is a secret, but we are increasing the budget for an operation which in many respects has outlived some of its purpose. The cold war is over. We have all said that.

Certainly we need our intelligence gathering abilities to remain, but we must certainly tighten our belts, and that includes within the intelligence branch of government. Yet we see that we are increasing the amount by something close to \$1 billion, and at least we are trying to cut at least \$1 billion out, to have the pain of cuts go all around.

Let me point out one thing that really disturbs me greatly. During the debate on this education appropriations bill, we dealt with the Head Start Program which helps young children. We were told during the debate by this new congressional majority that we had to cut Head Start programming to the tune of \$137 million. That is what we cut from last year's funding levels. Why? Because we were told in some cases some of the programs that are administering these dollars for our kids were not very efficient. There was some overlap. We could make better use of the dollars, and this was a signal to them that they better shape up.

Yet we learned that with the CIA we are funding assassinations in countries like Guatemala with the assistance of CIA operatives. We find that they are spending \$300 million on lavish offices and buildings, and here we are telling the American people that we have to tighten our belt and cut Head Start \$137 million because the administration has not been as efficient as we would like.

I do not think that makes sense. On a budget that we cannot reveal the numbers to the American people, because it is an intelligence matter, we are saying "Let us increase", but when it comes to real intelligence, as the gentleman from New York [Mr. OWENS] pointed out, when it comes to our school children, we are willing to cut.

Forty years ago we had a President, Mr. Eisenhower, who said national security of this country relies on having educated people and a society that knows how to work, and for the first time the Federal Government became involved in helping local schools and local State governments fund education.

Ten years later under President Johnson we passed for the first time an education act to really have the Federal Government get involved. Of all the moneys that schools spend, the Federal Government provides about 6 percent of those dollars, a very small amount, but it is more than we used to.

Now we are told we have to cut back on what we spend on our children, because we have to tighten our belt, yet here we are told, "No; you do not have to tighten your belt, spend more, spend more", even though you are telling Head Start folks, "You cannot get

more because you did not administer very efficiently", but the CIA, which helps fund assassinations by CIA operatives, that is OK.

There is something wrong. There is an inconsistency here, and I hope the Members of this body will realize that and vote for this very sound, very well-meaning and, I think, very meaningful way to send a message that everyone must tighten their belt. It is time for us to do it, not just for Head Start but to do it for the intelligence community as well.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words and in opposition to this amendment.

Mr. Chairman, I would just point out to my colleagues that we have made dramatic reductions in the intelligence budget, which is a classified matter and I cannot get into the details of it, but we have cut this budget more than George Bush wanted and much more than Bill Clinton wanted. I think we are on a course to reduce not only personnel but the overall expenditures, part of the major reduction in defense spending.

Sometimes people forget that between 1985 and 1995 we have reduced defense spending by about 38 percent, or \$100 billion in real terms. The intelligence community has taken its proportion of those reductions, as I mentioned, not only in personnel but also in equipment.

This year's bill was put together on a very bipartisan basis. We looked at the needs in all areas of intelligence, and we came up with a number which is classified and I cannot get into, but I think is about as appropriate to the challenge that we are faced with out there.

Departed Director Jim Woolsey talked about the fact that in a post-cold-war era the world is not as safe and comfortable and cozy as a lot of people thought it was going to be. We have got problems throughout the world, and in my judgment the intelligence budget today is at about the right size and, as I have said, dramatically below what George Bush and President Clinton asked for.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from New York.

Mr. OWENS. Mr. Chairman, the gentleman disputes the figures that were given to us by another member of the committee. Sixteen percent was a cut, he said, that has taken place, and you say it is more like a \$100 billion cut?

Mr. DICKS. On the defense appropriations bill. The intelligence budget is a part of the defense appropriations bill. What I was saying first is defense spending has been—

Mr. OWENS. You agree with the 16 percent figure that he gave us?

Mr. DICKS. I am not going to get into a percentage number because I think that may be classified itself. I am just going to say the defense budget



itself has been cut by 37 percent between 1985 and 1995 or about \$100 billion. We are down from \$350 billion to \$250 billion.

If the gentleman would go on with me for one more second, in procurement, we are going to have a procurement readiness problem out there in the future. The cut is from \$135 billion to \$41 billion.

We have been cutting defense very dramatically, and the intelligence budget has been cut as part of that. President Clinton, when he ran for President, talked about cutting it by 1.5 percent per year. We have cut it beyond that. We have cut it more deeply than that. The gentleman from Pennsylvania [Mr. MURTHA] has been the person who, when he was chairman, made serious cuts in that budget.

Mr. OWENS. We want more money to go to the real defense budget, and not have Aldrich Ames and his colleagues wasting our money, at the same time killing our agents. We think it is being misspent and dangerously wasted in the intelligence operation.

Mr. DICKS. As the gentleman knows, President Clinton has just named Mr. Deutch to come in and be the new director. I as a Democrat feel that John Deutch is very competent, very professional. He has brought in a new management team, he has brought in a whole new top team at the directorate of operations where Mr. Ames resided, and you are right, there were serious problems there.

But to come in here now and say, well, because there were serious problems, we need to take a meat ax approach to the intelligence budget, I do not think is the right approach to it. As I looked at the budget just the other day, and I do not think any of the Members of the House have been up to even look at the classified annex of the budget, that is the only way you can really look and see what is in this budget.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Vermont.

Mr. SANDERS. Just tell the American people why it is OK to slash Medicare, education, and Head Start at a time, for example, in terms of education, we know we need more help for education, when at the same time half of the intelligence budget as I understand it went to fight the Soviet Union, and the Soviet Union no longer exists. Why can we not make a modest \$1.6 billion reduction in intelligence funding?

Mr. DICKS. I would say to the gentleman, first of all, I share his concern about Medicare, Medicaid, and education, and I did not vote for balanced budget amendment that required a major tax cut which makes it a requirement to cut too deeply into these programs.

But I do believe that we have made serious and significant cuts in the intelligence budget already, in prior

years leading up to this year, and also we have cut the defense budget which the intelligence budget is part of, so I think we have done the job. I think what the gentleman is offering is too severe, goes too far, and is not well thought out.

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I think the easiest course to take perhaps on this bill would be to support an amendment that would cut the intelligence funding that is so vital for our national security in a time when we are making tough decisions. But our job here in Washington is to look beyond what is the superficially easy answer and decision and to look at what in fact substantively is needed.

I spent the greater part of the break updating myself on what is happening in the former Soviet republics, and I hope my colleagues did the same. I would encourage my colleagues who may not have read what has been called perhaps the most important foreign policy book of this year, to read the book called Zhirinovsky. This book came out in the end of June 1995, and is a very intensely researched document by two leading Russian writers on Vladimir Zhirinovsky, who is leading the National Liberal Democratic Party. Zhirinovsky, as most of our colleagues know, his party won a majority of the seats in the Duma elections last year and stands to make significant gains in the elections in Russia this coming year.

For those who would argue that the threat from the former Soviet Union no longer exists, I would say take some time to read and update yourselves, whether it is through this particular book, which is a factual documentation, or perhaps the daily FIBUS reports which all of you have access to, which I read every day, on what is happening inside the former Soviet republics.

I take great pride in reaching out to the former Soviet Union. I cochair the energy caucus with the Russian Duma members, I cochair the environmental effort, and I work with them regularly.

But we have to understand, the military leadership in Russia today is the same military leadership that was there when it was the Soviet Union. They have not gone away. They have not run off and converted themselves. The generals in charge are the same generals who were in charge when it was a Communist state, and if you look at what is happening with the intelligence reports that we have access to as Members, they are planning on playing a major role in the upcoming Duma elections this December.

For those who say we can ignore all of this and that we can somehow put our heads in the sand and think that all is rosy, you are just not being hon-

est with yourself or with the American people, because that is not factually borne out by what is happening in that country. There is tremendous turmoil in Russia. There is turmoil in Ukraine.

We had the President of Belarus, just 1 month ago, say he was no longer going to allow the return of the SS-25 missiles. He said he is going to keep them on his own soil, because Russia was not giving enough money to assist in dismantling those missiles. Those are the same missiles, by the way, that have a range of 5,500 kilometers, that can hit any city in America.

Mr. Chairman, I am not here as an alarmist, but what I am asking our colleagues to do is to read factual information. If my colleagues would like to read the book on Zhirinovsky if they have the time, I will provide a copy to them. If they would like to read the FIBUS reports, I will summarize them for them. If you would like to meet with some of the 100 Duma members I met with this year, I will arrange for that. You can laugh all you want. We are talking about a serious issue.

The point is, Mr. Chairman, that what we are doing here I think could really shortchange not just our military but the security of the free world. It might sound good to make a 10-percent cut in the intelligence budget. That is absolutely the wrong decision to be making on this bill, and I would encourage our colleagues to reject this amendment and support efforts to beef up our understanding of what is happening in the former Soviet republics.

□ 1645

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Chairman, my colleagues who appeared just before, he raised a point which I think is very, very important. During much of this debate, people have been suggesting that the world has changed so radically because the East-West confrontation has disappeared and, therefore, we can just radically adjust our defense spending, but there is no need for intelligence spending as well.

Mr. Chairman, let me say this: Beginning with an important point to me, it is my privilege now serving on the Committee on Appropriations, to serve on the Subcommittee on National Security that is before us today. But I also serve with my chairman of the Subcommittee on National Security as a colleague on the Select Committee on Intelligence as well. To combine those two responsibilities gives one a much different picture of the world than I had preceding that service.

Mr. Chairman, there is little question that all of us are very hopeful about the future in terms of the prospects of peace for the world. The hopeful elimination of the East-West confrontation is encouraging to each and every one of

us who care about our future. Because of that, many in the House have automatically assumed that we can afford to lightly, almost radically readjust our defense spending.

As a result of that, as has been discussed, we have readjusted downward over the last several years in this Nation, causing us today to be spending \$100 billion less than we were before. To suggest that in light of that, that just lightly we can recalculate the need for intelligence spending, readjust similarly, or whack away at these programs would be the gravest of mistakes in terms of our responsibility, not just to this House, the people we represent, but also to those people we would have to preserve peace for in the world.

The intelligence community has come down, as has been discussed. Since 1990, the reductions have been close to 16 percent in this area. But let me say to my colleagues, further reduction could be a dramatic mistake on our part, for as we have reduced defense spending, we are dealing with the reality that the world is much more complex today, not less complex than when we were dealing directly, day in and day out, in our concerns about the Soviet Union.

Indeed, the world is complex not only in terms of Russia, but very, very complex in terms of those other countries we must deal with. And further complex by the fact that it is a much more dangerous world. Those who tended to set aside concerns about terrorism took a look again when bombs went off in New York. But even then, people lightly set that aside.

Oklahoma City came along and questions were raised one more time. Maybe we better know more about this complex world. I would submit to my colleagues and Members that this is exactly not the time to be reducing these budgets.

Indeed, the President, and I would speak to my colleagues on the Democratic side of the aisle especially, our President at this time needs more and better information, not less information. To cut this valuable base from under him is going to undermine his ability to develop policy that is critical to the future of peace in the world. This is not the moment for us to presume that intelligence is unnecessary. Indeed, the intelligent decision is to be increasing these budgets at this moment instead.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would like to just point out that we are not slashing Medicare. There is nothing about Medicare in this bill. And I can make this commitment to you, that in any legislation that this Congress brings forth to the House there will not be any slash in Medicare.

There is nothing in this bill about Head Start. There are a lot of things that were talked about during the de-

bate that are not in this bill. And the reason I make this point is that there are 13 different appropriations bills, many agencies of Government, each one of them having their own areas of responsibility.

Mr. Chairman, we do not do anybody a service by trying to play one against the other and say we cannot do this because we are going to do that. These are all important, but they are not all done in the same appropriations bill.

A lot of things that have been talked about are things that could be done by the State governments. And as my colleagues know, through our block grant program we plan to do that.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

(On request of Mr. YOUNG of Florida, and by unanimous consent, Mr. LEWIS of California was allowed to proceed for 3 additional minutes.)

Mr. LEWIS of California. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, there are a lot of activities that we are going to be funding through block grants and other types of programs, but a lot of those could be done by the States or the local governments.

Mr. Chairman, if there is anything that the cities or the counties or the States cannot do that must be done by the Federal Government it is to protect the security of this Nation. We are talking about a national defense. We are talking about an Army, a Navy, an Air Force, a Marine Corps, a Coast Guard, an intelligence community, and all of these related activities.

Those things can only be done by the Federal Government. The States cannot do them. So, we as the Federal Congress have an obligation. The Constitution gives us the obligation to provide for the common defense. That includes intelligence, knowing what is happening in the world which might affect us. Let us face it, almost everything that happens in the world affects the United States today because of the Nation that we are.

We cannot afford to put blinders on our eyes or to put plugs in our ears and not be able to determine what a potential threat might be or where it might be coming from.

Mr. Chairman, we cannot accept this amendment. It is just too massive a cut in a relatively small budget that is essential to providing for the protection of the security of our Nation and our interests, whatever they might be, and our people.

Mr. Chairman, I emphasize our people, because intelligence not only deals with the spooky spy things that we hear about in the movies, but it deals with threats from terrorists. We deal with threats from narcotics dealers. We deal with threats from nuclear, biological, and chemical weapons. We are dealing with providing intelligence on a lot of threats.

If we do not have that intelligence, we are blindfolded. We just cannot have this cut.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I appreciate the comments of the gentleman from Florida for he has said it all. In this moment, in this very, very complex world, it is just the moment the President needs more and better information and the House needs that information too.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, one of the reasons we have been able to cut the defense budget by \$100 billion is because we are getting better and better intelligence. In the gulf war, for example, we were able to use precision-guided munitions and we were able to use the intelligence we had for targeting purposes, and we got a much higher kill rate than we ever got in any other war before.

As we move into the future, with the block 30 upgrade on the B-2, we will be able to fuse intelligence right into the cockpit and go after Scud missile launcher and other mobile targets.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. LEWIS of California was allowed to proceed for 1 additional minute.)

Mr. LEWIS of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, in the totality of the defense budget, we are going to be able to come down a little further if we have quality intelligence. I just believe that a 10-percent cut on top of what we have done over the last 4 or 5 years is too severe and I urge that we defeat the amendment.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, the gentleman from Washington [Mr. DICKS] makes a very important point. Indeed, it is my work on the Select Committee on Intelligence that has caused me to believe that we are right on the verge of peace in our time. There is a hope for peace in the world, because of some of the things that America is about. Our intelligence community is playing a very significant role in that connection.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I have heard a few things said on the floor, and I feel that if people would have served in the frontline, either in the intelligence agency or in the service of this country in the military, that their views might change because of the threat.

First of all, I heard that the cold war is over. Russia, the former Soviet Union, today has built and is producing an airplane called the Su-35. It is superior to our F-14's and even our F-15 Strike Eagles. That airplane carries an AA-10 missile superior to our AMRAAM. They are stealthing their

Baltic fleet. They are second in the world at accomplishing that.

Mr. Chairman, I look at Bosnia and the threat that we have there, the imminent threat of putting our troops; another reason why I did not want to lift the arms embargo. Saddam Hussein is still out there. The problems in Israel and North Korea.

The Bottom-Up Review was a level at which we were supposed to fight two conflicts simultaneously after our drawdown. Well, according to GAO, we are between \$150 to \$200 billion below the Bottom-Up Review, and this is the bare-bone minimum, after a drawdown.

Mr. Chairman, especially in a weakened state, and after the hearings and the testimony time and time again before our committee where they say we could go to war, but it would be a very short-lasting readiness level, that we definitely need more intelligence instead of less.

Second, this is at times, Mr. Chairman, a very evil place and I believe that. It is a place about power. It is a place about the ability to disperse money so that you can get reelected with interest groups. It is the ability to get reelected so that you can control the power and control the majority. And to do that, what we are actually trying to do in education and welfare and the other things are damaged.

Let me give you a couple of classic examples. We get a very low percentage of the dollars back down in the education because the Federal bureaucracy that eats it up here in Washington, DC, but I have heard people say we are cutting education. What we are doing is cutting the Federal bureaucracy.

We only get 23 cents of every dollar that we send here back to the classroom. Take a look at the State bureaucracy, which we have to limit as well. That is not helping education. Look across this country with the SAT scores and reading comprehension, the system has failed.

The gentleman from the other side has his right to a view of bigger government and bigger bureaucracy. I am not disputing his right to have that view. But in that view, it damages the national security of this country, and that I do dispute.

I look at welfare and a very failed system where we only get about 30 cents out of every buck down to it, but yet they will tell you that we are taking food out of mothers' mouths. And in the Medicare system where we are increasing it from \$4,800 to \$6,700, that is not a cut; that is an add.

Mr. Chairman, we are not going under the same assumptions that they do that we are going to allow the mismanagement, the \$16 billion in fraud, waste, and abuse and other things. The bottom line is that we are taking that power out of Washington and moving it back to the States. In the meantime, we are trying to protect this country and its national security needs. In a weakened state, we need to encourage

the increase in the intelligence community.

Right now, today, over Bosnia, we have an unmanned drone called the Predator. We are also using the Hunter. That information allows us to find those targets and lessen the risk to our pilots as they are flying over Bosnia today. Yet those systems under these cuts would probably go away. They are just hanging on with the limited funds we have available for national defense.

Can we afford to put our people's lives at risk when we are taking these kinds of cuts? When we are already \$200 billion below the Bottom-Up Review and the President of this country, in his first Budget Act, wanted to cut defense \$177 billion, after candidate Clinton himself said that \$50 billion would put us into a hollow force.

So, Mr. Chairman, I respect the gentleman's right to have his view, but on the same term, I do not respect the ability that it would diminish the chance of our men and women coming back in combat.

Mr. MURTHA. Mr. Chairman, I move to strike the requisite number of words.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Vermont.

□ 1700

Mr. SANDERS. Mr. Chairman, now is not really the time to get into a debate over some of the issues that the gentleman from California and the chairman raised, but I would just say the following: We are one Government, and all of the money that we expend comes from the taxpayers, the American people.

The facts are very clear that the United States has, for example, the highest rate of childhood poverty in the industrial world. Nobody disputes that. It is a national shame. In my view, the gentleman may disagree.

The facts are also clear that as a result of policy being made by the majority party, more and more children in this country will suffer and childhood poverty will increase. The United States today, in the United States today, millions of working-class families cannot afford to send their kids to college.

To my mind, there is no question but as a result of recent decisions made by the majority, it will be significantly harder for middle-class families to send their kids to college.

In my State of Vermont and in California and all over this country, millions of elderly people cannot afford the high cost of pharmaceutical drugs, and millions of senior citizens today cannot afford the high cost of health care, despite Medicare.

There is no dispute that as a result of cuts in Medicare, it will be harder and harder for the elderly people to pay for their health care needs, which are going up.

We are one people. If we expend more unnecessarily on intelligence budgets,

with the end of the cold war and the decline of the Soviet Union, there is simply less money available to be used on other domestic needs.

Mr. MURTHA. Mr. Chairman, reclaiming my time, I oppose my friend's amendment, and I say we worked hard in trying to balance the intelligence-gathering effort in this country.

Over the years we saw that there was excessive spending, and we cut it dramatically a couple of years ago, against the advice of the President himself and the Director of the intelligence agency. But we think we made the right cuts, the threat had changed so dramatically.

We are continuing that trend to make sure it is leaner and does a better job with the changed threat.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from California.

Mr. CUNNINGHAM. I thank the gentleman for yielding.

Mr. Chairman, I agree with the gentleman from Vermont in the fact that it would be inappropriate to bring up those issues if they had not been brought up by your side as saying that we were taking away from this bill. That is the reason I addressed them.

Secondly, as we have been only in power for a very short time as far as the majority, those kinds of things did not happen on our watch. Look at the welfare system as it has failed today. Look at the education system. We have good schools.

But as you take a look across the board, there is a lot of work we can do to help those things, and with the Intelligence Committee and with the drawdown of our defense forces, you cannot say the majority party is destroying these other things to beef up defense. Those systems are already in dire need of help. That is what we are trying to do by taking the power away from you and away from Washington and giving it back to the people.

Mr. MURTHA. Let me just urge the Members to vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House of Monday, July 31, 1995, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

The point of order of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. SCHROEDER: Page 94, after line 3, insert the following new section:

SEC. 8107. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 3 percent.

Mrs. SCHROEDER. Mr. Chairman, I stand to say I think this is a very, very important amendment and a chance to deal with the biggest threat America has, and that is the threat of the debt. Look, that is our biggest threat, and this is the first time I ever remember on this House floor that we have voted for more money for the Defense Department than the President asked for, who is commander in chief, than the Pentagon asked for, than the Joint Chiefs asked for.

All this amendment does is it is an across-the-board cut to bring that level back down to what the Pentagon, the President and the Joint Chiefs came across the river and said this is what is needed for the threat.

This is a total of a \$7.8 billion increase above the level that was requested by the Pentagon. Now, I just want to say that I think we really, if we are going to talk about fiscal responsibility, this is an area where we ought to do it.

Nobody has taken this floor during the entire debate and said that the threat is \$7.8 billion greater than the President viewed it, \$7.8 billion greater than the Joint Chiefs viewed it or whatever. No. We did not say that.

Instead, we voted to say we are going to add these different things on that they did not ask for, but it should be threat-related, especially when the biggest threat is the threat of the debt.

If you look at the defense budget after this cut would take effect, it would still be that we are allocating more money to defense in this country than the combined amounts of our NATO allies, Russia, and Japan, more than all of those.

If you look at the costs that I am sure we are going to hear about for some of the things that are going on in the Middle East and Somalia, the former Yugoslavia, places where we now have troops and where they are doing different things, be they humanitarian or otherwise, the estimates for all of those things are only about \$3 billion. So that is not driving this budget.

But what we are talking about here is \$244.12 billion. That is really an incredible amount of money, and I really think that kind of money should be going to offset the debt.

I am not quite sure what the status of the whole lockbox issue is, but my hope would be that this could be locked up for the deficit. But if it is not, it could be used for many other things, too.

We have heard many other things during this debate that people thought were very high priorities.

So think about it. All during the Cold War we never gave the Pentagon more then they asked for, for heaven's sakes, and here it is over. We are giving them more than they asked for and more than the rest of the world together is spending on defense. Go figure.

What will this amendment do? What will it cut out? Well, we will hear all sorts of people saying, oh, it could hurt this, it could hurt that. Let me tell you, it does not say what they have to cut out. This gives total discretion to the Pentagon to figure out where they would take that 3 percent out.

They may decide they now want these new weapons they did not used to want, so they could cut other things. Let me give you some examples of places where folks say we could cut. If you look at just intelligence, we have the CIA, we have the Defense Intelligence Agency, we have the Navy Intelligence Agency, Air Force Intelligence Agency, Army Intelligence Agency, National Security Agency, and CIA. If you took all of those, we are told you could save \$19 billion in just overhead by trying to just combine them, as we see corporate America doing, and other such things, that there is a tremendous amount of overhead.

If you look at other places in the budget, there are all sorts of other places you could save in overhead. I think it has always been very interesting to me that each branch of the services has their own chaplain school. You know, is there a different way to be a Navy chaplain than there is to be an Army chaplain? I do not really think so. The same with law schools, the same with all sorts of things. So there are lots of ways that, if the Defense Department decides they now want to keep the B-2's in, they now want to keep other things in they had not asked for that we have put in, if they decide they want to do that, fine.

There are many other ways they can juggle these numbers. This is a 3 percent cut to bring it back to what they originally asked for, and I keep reminding you throughout this whole debate, no one heard one person say the threat is greater than they said, the amount is not enough.

Please, vote "aye" for this 3-percent cut.

The Appropriations Committee has recommended an appropriation of \$244.12 billion for DOD programs. This appropriation level represents a \$7.8 billion increase over the amount requested by the Pentagon. We don't need this spending increase because:

1) Our defense spending currently amounts to more than that of our NATO allies, Russia, and Japan combined.

2) We are still spending 92 cents for every dollar we spend during the cold war, and the cold war is over.

3) The actual extra cost of assorted contingency operations in Somalia, the Middle East, Africa, the former Yugoslavia, and elsewhere totals approximately \$3 billion per year—1% of current military spending.

Your amendment reduces the funding level appropriated for DOD programs by 3% to conform the bill to the level requested by the administration. We have better things that we could do with \$8 billion. For example, we could:

First, return it to the Treasury for deficit reduction.

Second, increase funding for biomedical research at NIH by 75%.

Third, clean up 312 superfund sites, average clean up costs per superfund site is \$25 million.

Fourth, block grant \$156 million to each of the 50 states.

Fifth, pay for more than 70 million mammograms.

Sixth, cover childcare costs for 2 million children for 1 year.

Seventh, send 1.3 million children to Headstart for 1 year.

Eight, disperse Pell grants to 3.3 million needy students.

Ninth, put 235,493 new police officers on the street.

Tenth, offer prenatal and post-partum care to 2 million uninsured pregnant women.

Eleventh, provide 55 million school lunches to eligible children.

Twelfth, feed 9.5 million people one nutritious meal daily for one year.

Thirteenth, nearly quadruple our investment in women's health at HHS.

The increase = Pork for Hawks

If our financial situation is so dire that we must cut education, housing, and children's programs, then this increase in defense spending is irresponsible. If we're trying to balance the budget then why choose to spend:

\*\$974 million for a new, unrequested Amphibious Marine Transport

\*\$160 million for 8 unrequested AV-8 Harriers

\*\$140 million for 20 unrequested Kiowa Warrior Helicopters. This is \$20 million over the authorized amount.

\*\$40 million for 750 unrequested Hellfire missiles

\*\$39 million for 453 unrequested Javelin missiles

\*\$27.4 million for unrequested TOW2 System summary

\*\$46.1 million for 2100 unrequested MLRS Rockets

\*\$40 million for 45 unrequested Harpoon missiles

\*\$493 million, in unrequested funds, for the B-2 Bomber program

\*\$250 million for 6 unrequested F-15E Fighters

\*\$339 million for 10 unrequested C-130 Cargo Planes. This is \$48.6 million and 2 planes over the authorized amount.

\*\$599 million more for Ballistic Missile Defense

\*\$200 million more for F-22 Fighters

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Before recognizing the next speaker, the Chair would like to inform the House that the 5 hours provided under the unanimous-consent agreement for the consideration of amendments expires at 5:27. At that time, wherever we are on whichever amendment we are on, the debate will cease and the Chair will put the question.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the way the amendment is written, each amount provided by this act is hereby reduced by 3 percent. In other words, every account in here, other than the mandatories, would be reduced by 3 percent. That is what the language says.

The problem here is that a large portion of that, almost two-thirds of that reduction, would come from operation and maintenance and military personnel.

Let me tell you what we would be cutting out of military personnel: the pay raise. Do not the people that serve in the military deserve a pay raise?

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I want to make it very clear that it does not come out of the pay raise. It does not come out of anything in particular. It really is giving the Pentagon a line-item veto. They can allocate this 3 percent however they would like to.

It is a 3 percent across the board or a 3 percent cut of different areas, if you want to do it in personnel. I was pointing out all the ways you could combine things, just in intelligence agencies alone, to save \$19 billion, and that will come under personnel by combining them.

I really respect the gentleman from Florida, and I hope we do not get into trying to see a bogeyman here.

The President had in his budget a pay raise. We are all for a pay raise. We want that to happen.

But this is a budget that has more money than they asked for, and this is just to bring it back down to those numbers.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that 2 minutes be added to my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, that may be the argument of the gentlewoman. That is not the way the amendment reads, and we have to go by the way the amendment is offered before the House.

"Each amount appropriated or otherwise made available by this act is hereby reduced by 3 percent." That means you go through the bill, pick out the items that are not mandatory, that are not entitlements, and they will be reduced by 3 percent.

All of the debate will not change that, and I say again that part of those accounts are O&M and personnel. \$4.5 billion of this reduction would be applied to those two accounts. That is where the pay raise comes from.

What else comes from that? Barracks. We have heard all year long about the sad condition of so many of our barracks. Pentagon officials who testified told us if you drive your kids up to college and their dormitories looked like these barracks, you would

put them in the car, take them home; you would not let them stay. That is not fair that your military personnel have to live in facilities like that.

During the break I had a chance to visit some of the military bases, and I have seen some of the barracks that go back to World War II. The tiles are falling off the ceiling. The pipes are leaking. The money is not there to either rebuild them or refurbish them.

So they are in poor condition, and they need to be corrected.

What about promotions? This would, in effect, stall a lot of promotions that are already scheduled. The members of the military are already starting to spend the money in their mind. Some of the promotions are not going to be able to go forward.

As we put this bill together, we did not add a lot of new money for procurement. We did not start up any nice, new, big programs. But what we did, we looked at all of the services, and we tried to isolate and identify those areas where there were real shortages of items that we have to have, and what called this to my attention was that at one of our earlier hearings this year we were talking about airplanes and buying new airplanes, and the witness who was testifying told us, "We are not so much worried about the airplanes. We are short of tugs to draw the airplanes from the hangars out to the runway," and it got me thinking, I wonder how many items there are out there like that that nobody has ever heard about that could actually stop the operation of our military forces.

So I assigned the staff of the subcommittee to identify for me items that nobody has ever heard about but that are essential and important to the conduct of our military forces, and with the help of this page I am going to unravel this long list of items you have never read about in the newspaper, you have never heard about on television, because they are not politically sexy, but they are things that are essential to maintaining our military.

□ 1715

Now here is where we added money, and, if we have to take a 3-percent reduction, we are going to lose a lot of this, things like trucks. I visited one Army facility. They had trucks that go back to Harry Truman's Presidency.

We have added additional money in this bill to buy some new trucks to replace those old trucks that cost more to maintain than to try to use them.

What were some of the other shortfalls?

Believe it or not, ammunition, shortfalls in ammunition. We are correcting that. We are adding additional money to buy ammunition.

What about rifles? Who would ever think that the U.S. Army would be short on rifles? But we are. Certain types of rifles the U.S. Army has a shortage.

Look at the testimony the Army testified today. Real property maintenance,

depot maintenance; those are the kind of things we put in this bill.

As I said, we did not create a lot of new programs, we did not start any massive new procurement programs or weapon systems. We are trying to enhance those that we have; we are trying to take care of the nuts and bolts to keep the machinery working.

Mr. Chairman, it reminds me of a statement that my grandmother taught me many, many years ago, and I have later learned that she was not the author, but she related it to me, and that was for the want of a nail the shoe was lost, and for want of the shoe the horse was lost, and for want of the horse the rider was lost, and it goes on to tell how the battle was lost. Well, this list I have just unrolled here, these are my horseshoe nails. We want to make sure we did not lose anything important because we did not provide for the horseshoe nail.

This 3-percent across-the-board cut is going to cut into the increases that we made in some of those nonsexy, non-political, but important, issues relative to those who serve in the Armed Forces, and again, Mr. Chairman, the gentlewoman would argue that her amendment does not do that, but in fact it is exactly what it does.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would simply like to note in response to my good friend, the gentleman from Florida [Mr. YOUNG], that I think it is about the third time I have seen him roll out that sheet, the so-called shortages, and all I would say is that I have in my hand this, what someone else from Wisconsin used to say is a copy of a report from the General Accounting Office. It is not very old, August 1995, is labeled "Defense Inventory," and the cover sheet says shortages are recurring but not a problem. The essence of the GAO report is simply that the accounting system of DOD grossly overstates shortage problems, and I would suggest that, therefore, we ought to take his concerns with a grain of salt when evaluating the amendment of the gentlewoman from Colorado.

Now I ordinarily do not like across-the-board cuts. I think they are a brainless way to reduce expenditures and that we ought to have the courage to single out individual items of low priority before being excised from the budget in order to meet our responsibilities to reduce the deficit. But this House has demonstrated on every occasion today that it is not willing to make reductions in this bill in the intelligent way, and so I think that it leaves us with only one choice if we want to see a reduction, and that is to do it in the manner suggested by the gentlewoman from Colorado. I regret that, but I think the responsibility for the viability of the amendment of the gentlewoman from Colorado lies with the committee for refusing to support amendments such as limiting the B-2 purchase to the number requested by

the Pentagon or heeding the General Accounting Office when it says that we should not be spending \$70 billion 7 years early on the F-22.

Mr. Chairman, we have tried to go after specific nonessential programs and have not found a willingness on the part of the House to accommodate that, and so, if we are interested in seeing to it that this agency is not exempted from the budget squeeze which has been applied with great tenacity and sometimes with great viciousness to other programs in Government, we have no choice but to pursue this admittedly second- or even third-choice approach, but certainly being a better approach than no approach at all, and so I am going to reluctantly support the amendment.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. OBEY] for his support, and I agree with the gentleman. I do not like doing an across-the-board cut either, but I agree also that when we are squeezing out of everybody the very last, last drop of blood in other programs because of this debt that is looming over our head that we are all watching, I think it looks unconscionable to add more money to all of these things without coming up with a threat analysis that really drives it, and I think it is also very difficult to explain to the people why spending more money than all the rest of the world is spending on defense is still not enough.

Mr. Chairman, we have got to add more, and so I really hope that this body thinks about this. I realize there is always a wish list, there is always a wish list. I have never, never, never found an agency that did not have a wish list, and, if we said to them, Is there anything you need or are short of, they are a fool if they do not come forward with a long list. It is the same with my kids; it is the same with everyone I know. It is human nature.

But the issue is when the Joint Chiefs think it is adequate, and everyone else, then I think that the gentleman is making a good point. I am sorry to do an across-the-board. It is all I know how to do, but I think the American people would say we do not have sacred cows in this budget, and, if we do not pass this, we have got a 2-ton sacred cow grazing in this budget that has been held harmless.

Mr. OBEY. Mr. Chairman, I simply say I agree with that, and I would again point to the chart that I used on two other occasions today. The red bars on this chart show what has happened to the Russian military budget since 1989. The blue lines show what has happened to the American military budget since 1989.

Mr. Chairman, we had almost a 70-percent reduction in the Russian budget, very small reduction in ours. I think that indicates there is ample

room for the amendment of the gentleman to be accepted.

Mr. CUNNINGHAM. Mr. Chairman I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from California [Mr. CUNNINGHAM] will be recognized for 3 minutes because the time for consideration of amendments expires at 5:27, and it is presently 5:24.

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from California for yielding this time to me, and I want to make this one last point:

This bill appropriates \$2.2 billion less than this House authorized on the defense authorization bill earlier this summer, \$2.2 billion less.

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman from California for yielding.

I would just like to say I cannot believe the discussion here. I would like for our colleagues to tell the 1 million men and women in this country who lost their jobs in the defense industry over the past 2 years that there are no cuts being made. I would like my colleagues to tell them what they have said on the floor today, that we have not been tough with defense spending.

And where do we get this dollar amount from? We are giving the President all this new money. I was President Clinton's bottom-up review who laid out the scenario for how much money we are going to need over the next 5 years.

We have heard the chairman of the full committee mention the General Accounting Office. It was the General Accounting Office who said that we are \$150 billion short just to meet the President's bottom-up review, and the Congressional Budget Office said we are at least \$60 billion short, and we are only increasing it by a very small amount. In fact, all we are doing is stabilizing defense spending.

I would urge our colleagues to reject this amendment and to support this very tough defense budget that I think has been crafted very wisely by the Committee on Appropriations.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Let me just say there is \$12 billion in backlog of real property maintenance. There is a backlog in depot maintenance. We have put it off for years. The military has put it off for what they think are other priorities.

The across-the-board cut is the worst kind of a cut available to the Members. The cuts were offered individually. The Members did not accept those cuts. Some amendments were accepted, some were not, but the point is an across-the-board cut is not the way to

cut defense. We have accepted across-the-board cuts, and I would strongly object to and ask the Members to vote against a 3-percent cut across the board.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming what little time I have left, the gentlewoman says that pay raises would not be affected, but, if it is an across-the-board, there is one that we have bipartisan support in trying to fix back the High-One problem that we have. In that account we either affect the COLA, Elk Hills, or High One. Which will it be? If we do a 3-percent cut, we either are going to cut the COLA of military retirees or we are going to affect those few people that have decided to get out recently.

I take a look at what our problems are right now across. We have got ships that are not being repaired.

The gentlewoman in support of the base closures, we cannot give the dollars for the base closures to reap the benefit of the dollars back to DOD, because we do not have the dollars. That would be hurt.

I rise in opposition to the amendment.

Ms. FURSE. Mr. Chairman, I rise to support the Schroeder amendment for a 3 percent cut in this defense appropriations bill. I want to talk about budget priorities. I want to remind my colleagues that this Congress really only has power over discretionary spending. That is about 54 percent of the budget, and that 54 percent is divided equally, 50-50, between military and nonmilitary spending.

Mr. Chairman, we have all heard all this talk about how we are going to cut waste in this new Congress. We are going to balance the budget. But we may be surprised to hear that all of the cuts, all of them, I repeat, all the cuts, have come from nonmilitary spending. Did the military budget get a cut? No, it did not. In fact, it got a huge increase.

Now, poll after poll shows that the average American wants Pentagon spending either kept the same or cut, but they do not want it increased. In this bill before us today, national missile defense—the true star wars—is actually increased 111 percent over last year's level. And one theater missile defense program—Navy upper tier—is increased almost 300 percent over last year. Mr. Chairman, I think this is wrong and I would submit that the American people might think this is a wrong use of their money.

Now, it is true that we have made enormous cuts. But I would like to talk about what those cuts are, and keeping in mind that those cuts are at the same time we are increasing Pentagon spending, while some of the cuts have been direct attacks on our children and our country's future.

The Republicans have approved cuts that would deny Head Start to 180,000 children nationwide by the year 2002. In addition, Pell Grants are being cut. Pell Grants help our young people get to college and they will be denied to 360,000 students in 1996. In fact, 3,000 students in Oregon will not have a chance to go to college because of these cuts.

They are also attacking the environment. Let me tell you some of the cuts in the environment. All funding is eliminated for listing of threatened and endangered species. These

are species on which the fishing industry depends. We need support for these endangered species, but we are cutting all the funding. There is a 40-percent reduction in solar and renewable energy, a 33-percent reduction in the EPA budget, including a \$765 million cut in clean water funding. There is a 17-percent cut in all of the EPA enforcement.

And what about cuts to seniors? We have cut \$270 billion in Medicare and eliminated the Low-Income Home Energy Assistance Program. This new Congress has cut senior nutrition programs by \$24 million. The older workers' programs—\$46 million in cuts. All at the same time that we are increasing the Pentagon, we are cutting from children, from the environment, and from seniors.

Mr. Chairman, I wonder if cutting away at these programs is the right priority. Is it the priority that we believe in this country to cut away at security protections, the security of good education, safer streets, healthy children, and seniors, a safe and healthy environment? I would say it is the wrong priority.

Shame—I think it is a shame—when we have such very skewed economics priorities. I would say that they are not the priorities of my constituents. Voting for the Schroeder amendment will go a little way toward righting those priorities.

The CHAIRMAN. All time for consideration of amendments has expired.

The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The question was taken; and the Chairman announced that the noes appeared to have it.

## RECORDED VOTE

Mrs. SCHROEDER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of Monday, July 31, 1995, further proceedings on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] will be postponed.

The Clerk will read the last two lines of the bill.

The Clerk read as follows:

"This Act may be cited as the Department of Defense Appropriations Act, 1996".

## SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of Monday, July 31, 1995, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment No. 9 offered by the gentleman from Vermont [Mr. SANDERS]; amendment No. 43 offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

## AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 93, noes 325, not voting 16, as follows:

[Roll No. 643]

## AYES—93

Baldacci	Green	Peterson (MN)
Barcia	Gutierrez	Petri
Barrett (WI)	Gutknecht	Poshard
Becerra	Hilliard	Rangel
Boniior	Hinchey	Rivers
Brown (CA)	Johnson (SD)	Roemer
Brown (OH)	Kanjorski	Rohrabacher
Camp	Kennedy (MA)	Roybal-Allard
Clay	Klecza	Royce
Clayton	LaFalce	Rush
Coble	Lewis (GA)	Sanders
Collins (IL)	Lincoln	Schroeder
Collins (MI)	Lofgren	Sensenbrenner
Conyers	Luther	Shays
Cooley	Markey	Slaughter
Costello	Martinez	Stark
Coyne	McCarthy	Studds
Danner	McDermott	Stupak
DeFazio	Meehan	Thompson
Dellums	Meyers	Torricelli
Duncan	Miller (CA)	Trafficant
Durbin	Minge	Velazquez
Eshoo	Mink	Vento
Evans	Nadler	Volkmer
Fattah	Neal	Waters
Fields (LA)	Oberstar	Watt (NC)
Filner	Obey	Williams
Foglietta	Olver	Woolsey
Frank (MA)	Owens	Wyden
Furse	Pastor	Yates
Goodlatte	Payne (NJ)	Zimmer

## NOES—325

Abercrombie	Chenoweth	Fowler
Ackerman	Christensen	Fox
Allard	Chrysler	Franks (CT)
Andrews	Clement	Franks (NJ)
Archer	Clinger	Frelinghuysen
Armey	Clyburn	Frisa
Bachus	Coburn	Frost
Baessler	Coleman	Funderburk
Baker (CA)	Collins (GA)	Galleghy
Baker (LA)	Combest	Ganske
Ballenger	Condit	Gejdenson
Barr	Cox	Gekas
Barrett (NE)	Cramer	Geren
Bartlett	Crane	Gibbons
Barton	Crapo	Gilchrest
Bass	Creameans	Gillmor
Bateman	Cubin	Gilman
Beilenson	Cunningham	Gonzalez
Bentsen	Davis	Goodling
Bereuter	de la Garza	Gordon
Berman	Deal	Goss
Bevill	DeLay	Graham
Bilbray	Deutsch	Greenwood
Bilirakis	Diaz-Balart	Gunderson
Bliley	Dickey	Hall (OH)
Blute	Dicks	Hall (TX)
Boehlert	Dixon	Hamilton
Boehner	Doggett	Hancock
Bonilla	Dooley	Hansen
Bono	Doolittle	Harman
Borski	Dornan	Hastert
Boucher	Doyle	Hastings (FL)
Brewster	Dreier	Hastings (WA)
Browder	Dunn	Hayes
Brown (FL)	Edwards	Hayworth
Brownback	Ehlers	Hefley
Bryant (TN)	Ehrlich	Hefner
Bryant (TX)	Emerson	Heineman
Bunn	Engel	Herger
Bunning	English	Hilleary
Burr	Ensign	Hobson
Burton	Everett	Hoekstra
Buyer	Ewing	Hoke
Callahan	Farr	Holden
Calvert	Fawell	Horn
Canady	Fields (TX)	Hostettler
Cardin	Flake	Houghton
Castle	Flanagan	Hoyer
Chabot	Foley	Hunter
Chambliss	Forbes	Hutchinson
Chapman	Ford	Hyde

Inglis	Metcalf	Seastrand
Istook	Mfume	Shadegg
Jackson-Lee	Mica	Shaw
Jacobs	Miller (FL)	Shuster
Jefferson	Mineta	Skaggs
Johnson (CT)	Molinari	Skeen
Johnson, E. B.	Mollohan	Skelton
Johnson, Sam	Montgomery	Smith (MI)
Johnston	Moorhead	Smith (NJ)
Jones	Moran	Smith (TX)
Kaptur	Murtha	Smith (WA)
Kasich	Myers	Solomon
Kelly	Myrick	Souder
Kennedy (RI)	Nethercutt	Spence
Kennelly	Neumann	Spratt
Kildee	Ney	Stearns
Kim	Norwood	Stenholm
King	Nussle	Stockman
Kingston	Ortiz	Stokes
Klink	Orton	Stump
Klug	Oxley	Talent
Knollenberg	Packard	Tanner
Kolbe	Pallone	Tate
LaHood	Parker	Tauzin
Lantos	Paxon	Taylor (MS)
Largent	Payne (VA)	Taylor (NC)
Latham	Pelosi	Tejeda
LaTourette	Peterson (FL)	Thomas
Laughlin	Pickett	Thornberry
Lazio	Pommo	Thornton
Leach	Pomeroy	Thurman
Levin	Porter	Tiaht
Lewis (CA)	Portman	Torkildsen
Lewis (KY)	Pryce	Torres
Lightfoot	Quillen	Upton
Linder	Quinn	Visclosky
Lipinski	Radanovich	Vucanovich
Livingston	Rahall	Walker
LoBiondo	Ramstad	Walsh
Longley	Reed	Wamp
Lowey	Regula	Ward
Lucas	Richardson	Watts (OK)
Manton	Riggs	Waxman
Manzullo	Rogers	Weldon (FL)
Martini	Ros-Lehtinen	Weldon (PA)
Mascara	Rose	Weller
Matsui	Roth	White
McCollum	Roukema	Whitfield
McCrery	Sabo	Wicker
McDade	Salmon	Wilson
McHale	Sanford	Wise
McHugh	Sawyer	Wolf
McInnis	Saxton	Wynn
McIntosh	Scarborough	Young (AK)
McKeon	Schaefer	Young (FL)
McNulty	Schiff	Zeliff
Meek	Schumer	
Menendez	Scott	

## NOT VOTING—16

Bishop	McKinney	Sisisky
DeLauro	Moakley	Towns
Dingell	Morella	Tucker
Fazio	Reynolds	Waldholtz
Gephardt	Roberts	
Maloney	Serrano	

□ 1753

Mr. DOOLEY and Mr. MFUME changed their vote from "aye" to "no."

Mr. COOLEY changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mrs. MEYERS of Kansas. Mr. Chairman, on amendment No. 16 offered by Mr. SANDERS, rollcall No. 643, I inadvertently voted "yes." I intended to vote "no" on this amendment. I ask unanimous consent that this statement immediately follow the rollcall on this amendment.

## AMENDMENT OFFERED BY MRS. SCHROEDER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] on which further proceedings were postponed and on which the noes prevailed by voice vote.



The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 296, not voting 14, as follows:

[Roll No. 644]

## AYES—124

Ackerman	Hoekstra	Payne (NJ)
Barcia	Jackson-Lee	Payne (VA)
Barrett (WI)	Jacobs	Pelosi
Becerra	Johnson (CT)	Peterson (MN)
Beilenson	Johnson (SD)	Porter
Bentsen	Johnston	Poshard
Berman	Kennedy (MA)	Ramstad
Bonior	Kildee	Rangel
Brown (CA)	Kleczka	Rivers
Brown (OH)	Klug	Roukema
Bryant (TX)	LaFalce	Roybal-Allard
Clay	Lantos	Sanders
Clayton	Levin	Sanford
Clement	Lewis (GA)	Sawyer
Collins (IL)	Lincoln	Schroeder
Collins (MI)	Lipinski	Schumer
Conyers	Lofgren	Shays
Coyne	Lowey	Skaggs
Danner	Luther	Slaughter
DeFazio	Manton	Stark
Dellums	Markey	Stokes
Deutsch	Martinez	Studds
Doggett	Matsui	Stupak
Duncan	McCarthy	Thornton
Durbin	McDermott	Thurman
Engel	Meehan	Torres
English	Meek	Torricelli
Eshoo	Menendez	Upton
Evans	Mfume	Velazquez
Farr	Miller (CA)	Vento
Fattah	Mineta	Volkmer
Fields (LA)	Minge	Waters
Filner	Mink	Watt (NC)
Foglietta	Nadler	Waxman
Ford	Neal	Williams
Frank (MA)	Ney	Woolsey
Furse	Oberstar	Wyden
Gibbons	Obey	Wynn
Green	Olver	Yates
Gutierrez	Owens	Zimmer
Hilliard	Pallone	
Hinchee	Pastor	

## NOES—296

Abercrombie	Bunning	Deal
Allard	Burr	DeLauro
Andrews	Burton	DeLay
Archer	Buyer	Diaz-Balart
Armey	Callahan	Dickey
Bachus	Calvert	Dicks
Baesler	Camp	Dixon
Baker (CA)	Canady	Dooley
Baker (LA)	Cardin	Doolittle
Baldacci	Castle	Dornan
Ballenger	Chabot	Doyle
Barr	Chambliss	Dreier
Barrett (NE)	Chapman	Dunn
Bartlett	Chenoweth	Edwards
Barton	Christensen	Ehlers
Bass	Chrysler	Ehrlich
Bateman	Clinger	Emerson
Bereuter	Clyburn	Ensign
Bevill	Coble	Everett
Billbray	Coburn	Ewing
Bilirakis	Coleman	Fawell
Bliley	Collins (GA)	Fazio
Blute	Combest	Fields (TX)
Boehrlert	Condit	Flake
Boehner	Cooley	Flanagan
Bonilla	Costello	Foley
Bono	Cox	Forbes
Borski	Cramer	Fowler
Boucher	Crane	Fox
Brewster	Crapo	Franks (CT)
Browder	Creameans	Franks (NJ)
Brown (FL)	Cubin	Frelinghuysen
Brownback	Cunningham	Frisa
Bryant (TN)	Davis	Frost
Bunn	de la Garza	Funderburk

Galleghy	Laughlin	Rose
Ganske	Lazio	Roth
Gejdenson	Leach	Royce
Gekas	Lewis (CA)	Rush
Geren	Lewis (KY)	Sabo
Gilchrest	Lightfoot	Salmon
Gillmor	Linder	Saxton
Gilman	Livingston	Scarborough
Gonzalez	LoBiondo	Schaefer
Goodlatte	Longley	Schiff
Goodling	Lucas	Scott
Gordon	Manzullo	Seastrand
Goss	Martini	Sensenbrenner
Graham	Mascara	Serrano
Greenwood	McCollum	Shadegg
Gunderson	McCrery	Shaw
Gutknecht	McDade	Shuster
Hall (OH)	McHale	Skeen
Hall (TX)	McHugh	Skelton
Hamilton	McInnis	Smith (MI)
Hancock	McIntosh	Smith (NJ)
Hansen	McKeon	Smith (TX)
Harman	McNulty	Smith (WA)
Hastert	Metcalf	Solomon
Hastings (FL)	Meyers	Souder
Hastings (WA)	Mica	Spence
Hayes	Miller (FL)	Spratt
Hayworth	Molinar	Stearns
Hefley	Mollohan	Stenholm
Hefner	Montgomery	Stockman
Heineman	Moorhead	Stump
Herger	Moran	Talent
Hilleary	Murtha	Tanner
Hobson	Myers	Tate
Hoke	Myrick	Tauzin
Holden	Nethercutt	Taylor (MS)
Horn	Neumann	Taylor (NC)
Hostettler	Norwood	Tejeda
Houghton	Nussle	Thomas
Hoyer	Ortiz	Thompson
Hunter	Orton	Thornberry
Hutchinson	Oxley	Tiahrt
Hyde	Packard	Torkildsen
Inglis	Parker	Trafigant
Istook	Paxon	Visclosky
Jefferson	Peterson (FL)	Vucanovich
Johnson, E. B.	Petri	Walker
Johnson, Sam	Pickett	Walsh
Jones	Pombo	Wamp
Kanjorski	Pomeroy	Ward
Kasich	Portman	Watts (OK)
Kelly	Pryce	Weldon (FL)
Kennedy (RI)	Quillen	Weldon (PA)
Kennelly	Quinn	Weller
Kim	Radanovich	White
King	Rahall	Whitfield
Kingston	Reed	Wicker
Klink	Regula	Wilson
Knollenberg	Richardson	Wise
Kolbe	Riggs	Wolf
LaHood	Roemer	Young (AK)
Largent	Rogers	Young (FL)
Latham	Rohrabacher	Zeliff
LaTourette	Ros-Lehtinen	

## NOT VOTING—14

Bishop	McKinney	Siskis
Dingell	Moakley	Towns
Gephardt	Morella	Tucker
Kaptur	Reynolds	Waldholtz
Maloney	Roberts	

□ 1801

Mr. ENGEL changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. VENTO. Mr. Chairman, the Defense appropriations bill for fiscal year 1996 demonstrates misguided priorities of the new majority in the House. At the same time that billions of dollars are slated to be slashed from education, environmental protection, housing assistance, job training and other needed family programs, the Republican leadership brings to the floor a Defense appropriations bill that spends nearly 8 billion dollars more than the Pentagon requested for the coming year 1996.

In fact, the Defense appropriations bill not only includes billions in extra Pentagon funding, it adds money for weapons and programs that top Defense officials have stated they do not want or need. For example, the bill in-

cludes nearly half a billion dollars to continue production of the B-2 stealth bomber beyond the 20 planes that have already been authorized. That's a half a billion dollars for a plane that appears to have significant technical problems, not the least of which is its inability to distinguish rain from other solid obstacles like mountains! The B-2 is a budget busting boondoggle that I hoped my colleagues would have rejected by supporting the Kasich-Dellums-Obey amendment to eliminate funding for additional Stealth bombers from the bill.

This legislation includes \$3.5 billion for ballistic missile defense—\$599 million more than the budget request—and it shifts the priority toward national missile defense, the star wars program which invites violation of the 1972 ABM Treaty. The bill provides \$200 million more than the budget request for the F-22 fighter and an extra \$250 million for the F-15. A wide range of humanitarian, peacekeeping, environmental, and disaster relief programs have been sacrificed in order to pay for these added weapons procurement costs. In addition, the bill eliminates the Technology Reinvestment Project and underfunds the Nunn-Lugar denuclearization program in the former Soviet Union. Time and again, this bill serves narrow special interests over the interests of the American people.

Mr. Speaker, we face many difficult choices this year, but the decision to oppose the Defense Appropriations bill is not one of them. This legislation turns our national priorities upside down—spending billions on star wars missile defense programs and stealth bombers the Pentagon doesn't want at the same time that education, Medicare, housing, and environmental protection programs are being decimated. We need to get our priorities in order. I urge a no vote on the Defense appropriations bill.

Mr. STOKES. Mr. Chairman, I rise in strong opposition to H.R. 2126, the Defense Appropriations Act of 1995. While I am aware of the current fashion in the Congress to increase defense spending at the expense of our domestic programs, I am also mindful of my duty as a Member of Congress to act in the best interest of the people I represent and in the best interest of the U.S. Constitution I have sworn to uphold. This shortsighted and rushed legislation will not only try to resurrect cold war programs that are unnecessary and wasteful, but will endanger the delicate balance of domestic and defense spending.

The National Defense Authorization Act of 1995 that we are considering here today is completely out of balance. This legislation authorizes \$7.8 billion more in funding than requested by the administration and \$2.5 billion more than current spending levels. H.R. 2126 seeks to isolate the United States by restricting America's role in peacekeeping operations, and misguidedly redirects \$3.5 billion to a star wars missile defense system whose time passed with the end of the cold war. This bill also appropriates \$493 million more than requested by the military for the B-2 Stealth bomber. H.R. 2126 impinges on the President's constitutional authority by eliminating \$65 million requested by the administration for United Nations peacekeeping, and \$180 million less than requested for aid to the former Soviet Union.

It would be an abdication of congressional responsibility to support this legislation at the

expense of our most important efforts to improve the quality of life for all Americans.

Mr. Chairman, there is no doubt that our military is by far among the world's best. This was demonstrated by our leadership of international forces during the war in the gulf. Over the past 20 years, our military has undergone a massive undertaking to build a defense infrastructure which has allowed us to effectively provide an international show of strength.

While I believe that we must maintain a strong military presence in an era of low intensity global conflicts, I am an avid believer that a healthy balance must be reached between domestic and defense spending. The importance of striking this balance is especially true in light of recent world events such as the end of the cold war. Because of these changes in world politics, the United States is faced with an unprecedented opportunity to redirect funds to relieve problems here at home.

Contrary to the arguments that have been made by the supporters of H.R. 2126, President Clinton has proposed a budget that reasonably addresses the defense and domestic needs of this Nation. President Clinton's fiscal year 1996 defense budget, which is strongly supported by the Pentagon, has two key initiatives: enhancement of military readiness, and improvement of quality of life for our men and women in uniform and their families.

The ironic truth about H.R. 2126 is that it will actually weaken our national defense. The bill before us today appropriates a staggering \$3.5 billion for an unnecessary star wars ballistic missile defense system. Because of this massive diversion of defense dollars to a star wars missile defense system, more legitimate funding goals outlined in the President's budget will be undermined. This provision of the bill will also result in a clear violation of the 1972 Anti-Ballistic Missile [ABM] Treaty.

Mr. Chairman, I have always been in favor of a balanced approach to our domestic and foreign affairs interests, and the Constitution's separation of powers. H.R. 2126 is out of balance and undermines the presidential power to shape our foreign policy. This legislation greatly restricts the United States ability to participate in United Nations multilateral peacekeeping operations. This congressional restriction of presidential authority is contrary to the principle of separation of powers and the clear language of the Constitution. The Constitution permits the President as Commander in Chief of the U.S. Armed Forces the power to place U.S. forces under the operational control of other nations' military leaders for United Nations operations.

Mr. Chairman, I think it is important for me to point out that under the current congressional leadership, U.S. policy has taken a direction that will adversely affect the essence of each and every one of our lives. The majority party's plan ignores quality of human life questions, and in order to finance additional military spending, we have been expected time and time again to sacrifice already substantially depleted health, housing, education, and employment budgets.

As opposed to spending billions of dollars to immunize American children, revitalize our urban centers, provide jobs to the jobless or homes for the homeless, this bill seeks to divert funds from these essential services to fund star wars and other unworkable initiatives. H.R. 2126 is an essential part of the Republican strategy to force through a series of

bills that will gut the chances for many Americans to live the American dream.

A review of the Republican plan to slash domestic discretionary programs reveal that many programs serving the most needy will be cut. One need only review the VA-HUD and Labor HHS appropriations bill for fiscal year 1996 to see that it cuts education programs by 17 percent, Head Start by 4 percent, the Environmental Protection Agency by 32 percent, and housing for the poor by 26 percent. This mis-direction of funds would greatly harm the American people, the strength of our Nation's defense and the future of our Nation.

Mr. Chairman, in closing, I would like to say that while the pursuit of peace is a noble and necessary objective, it is no easy task—especially when certain Members of Congress are determined to promote antiquated notions left over from the cold war. This legislation clearly reflects the new majority's desire to sacrifice the domestic interests of the American people in pursuit of isolationism and star wars. I urge my colleagues to uphold our Constitution, protect the American people, and vote down this bill.

Ms. FURSE. Mr. Chairman, I was pleased that Chairman YOUNG and Ranking Member MURTHA accepted my amendment reducing the account initial spares and repair parts by \$22 million.

This was a very reasonable reduction. In its fiscal year 1996 request, the Department of Defense asked for \$118 million for spare parts. Since then, the Air Force has told us that the requirement for 120 C-17's is only \$96 million—a difference of \$22 million.

The Milestone III Defense Acquisition Board [DAB] Integrated Airlift Force Decision is planned for this November. Ever since the Deputy Secretary of Defense put the C-17 program on probation in late 1993, the Air Force has consistently told us that this DAB decision will choose a number of C-17's somewhere between 40 and 120.

Giving the Air Force money for C-17 spares and repair parts for a number of planes beyond 120 would be a waste of money. DOD has higher priorities, and certainly the American taxpayers do. Frankly, in a program that's experienced as many problems as the C-17 has, I wasn't surprised to find additional waste such as this.

I would prefer that we only provide funding for spare parts for 40 C-17's at this time. Buying spares now for 120 C-17's prejudices the DAB decision. I have refrained from prejudging the DAB in my amendments to both the defense authorization and the defense appropriation and I believe it would be a more responsible approach if the C-17's supporters do so as well.

If the November DAB decision is for fewer than 120 C-17's and I fully expect it to be, I would expect the level of funding in this spare parts account to be reduced commensurately.

My \$22 million cut that was adopted by the House is also included in the defense authorization approved by the Senate earlier this week. I will work to ensure it remains in both the defense authorization and appropriation conference bills.

The American taxpayers have already spent almost \$18 billion on the C-17 and only 21 have been delivered. The plane was designed to meet a cold war threat that no longer exists and to accommodate battle plans that have since changed. The C-17 is designed to land

on short runways. However, short runways are frequently not thick enough to support the plane since its weight is distributed on too few tires. This fundamental flaw was evident in the recently completed reliability, maintainability, and availability evaluation when one runway that was chosen for use during this test had to be rejected because of the damage to the surface that would have been caused.

It is time to cut our losses and admit that the C-17 is simply too expensive. Taxpayers would be interested to know that if we were to buy planes we already know how to build such as 747's or C-5's instead of C-17's, we would get more airlift sooner and save \$15 billion. A recent Wall Street Journal analysis gave this four-word assessment of 747's compared to other transport planes: "Highest capacity, lowest price."

I believe that soon we will be forced to bow to economic reality and stop buying this gold-plated cold war relic. In the meantime, my amendment prevents us from throwing money at the plane that cannot be used, even in scenarios proposed by its most optimistic cheerleaders.

I appreciate the foresight, leadership, and cooperation of the leadership of the Appropriations National Security Subcommittee in working with me to make this needed cut of \$22 million.

Mr. DICKS. Mr. Chairman, I respectfully submit the following B-2 proclamation for the RECORD.

#### B-2 PROCLAMATION—JULY 26, 1996

Whereas, we the National Aerospace and Defense Workforce Coalition recognize that the present and future of America's aerospace and defense industrial base depends on public and private investment in new technologies, as well as education and training programs geared toward the jobs of tomorrow;

Whereas, the aerospace industry has provided American workers with economic and social mobility and whose income has added to this country's tax base;

Whereas, growth in our nation's technological capabilities rests on ensuring a sufficient and stable defense budget, as well as an industrial climate that promotes a healthy aerospace and defense industry;

Whereas, a declining defense budget has undermined our industrial base as well as our manufacturing infrastructure;

Whereas, America still maintains superiority in stealth technology that is so essential in preserving our national security;

Whereas, the National Aerospace and Defense Workforce Coalition is tired of public policy makers apologizing for supporting programs that provide American jobs while protecting our industrial base and providing for the common defense;

Therefore, be it resolved that the preservation of America's economic and national security ultimately rests on our commitment to maintaining an industrial base in the stealth arena. America cannot afford to lose the unique B-2 stealth production team. A low rate of continued production of this aircraft is definitely in the national interest.

#### NATIONAL AEROSPACE AND DEFENSE WORKFORCE COALITION—JULY 1995

##### B-2 PROCLAMATION

Catherine J. Vezzetti, Executive Director.  
Ed Olson, President, Southern California Professional Engineering Association, Westminster, California.

Mike Hall, President, UAW Local 848, Grand Prairie, Texas.

Harold J. Ammond, Executive Director, Association of Scientists & Professional Engineering Personal, Mt. Laurel, New Jersey.

Charles H. Bofferding III, Executive Director, Seattle Professional Engineering, Employees Association, Seattle, Washington.

Bob Duncan, Chairman, Council of Engineers & Scientists Organizations, Westminster, California.

Wayne Blawat, Chairman—Technicians, Steve Skattebo, Chairman Engineers, Leon M. Rapant, Committeeman.

Al Zdrojewski, Labor/Management Coordinator, Local 92 International Federation of Professional & Technical Engineers, Cudahy, Wisconsin.

Frank Souza, President, UAW Local 887, Paramount, California.

Dale Herron, President, Engineers & Scientists Guild, Palmdale, California.

Joseph Smarrella, Treasurer, United Steelworkers of America, District 1, Local 1190, Steubenville, Ohio.

Paul Almelda, National President, International Federation of Professional & Technical Engineers, Silver Spring, Maryland.

Captain Duane E. Woerth, First Vice President, Air Line Pilots Association, Washington, D.C.

Bill Boetger, IAM Business Rept, District Lodge 725, Area 2, Ontario, California.

Thelma Franklin, IAM President, Local 821, Ontario, California.

Doug Burrell, President, UAW Local 1921 New Orleans, Louisiana.

Ed Willis, President, UAW Local 647, Evendale, Ohio.

Frank Gyarmethy, President, UAW Local 1666, Kalamazoo, Michigan.

Allen Holl, President, IAM & AW, LL 2020, Wichita, Kansas.

Harold Landry, Business Manager Local 3, International Federation of Professional & Technical Engineers, Philadelphia, Pennsylvania.

Gary Eder, President, Salaried Employees Association, Hanover, Maryland.

Tony Forte, President, UAW Local 1059, Eddystone, Pennsylvania.

Gary Hawkins, President, UAW Local 128, Troy, Ohio.

Jeffrey D. Maska, President, Local 92, International Federation of Professional & Technical Engineers, Cudshy, Wisconsin.

Michael J. Gavin, President, Lodge 1509.

Frank Bunek, Committeeman, Blacksmith, Cudshy, Wisconsin.

Francis J. Owen, Committeeman, Local 663, International Brotherhood of Electrical Workers, Cudshy, Wisconsin.

Anton Milewski, Vice President.

William Gregson, Committeeman, Local 140, International Association of Machinists, Die Sinkers, Cudahy, Wisconsin.

Michael J. Yokofich, President, Local 1862.

Gerald Svcek, Chairman, Local 1862, International Association of Machinists, Cudahy, Wisconsin.

Sandra L. Paradowski, Vice President, Local 85, Office of Professional Employees International Union Cudahy, Wisconsin.

Mr. LAZIO of New York. Mr. Chairman, I rise today in support of the Department of the Army's breast cancer research program which was included in this bill, the fiscal year 1996 Defense Appropriations Act. Thanks to the leadership of Defense Appropriations Subcommittee Chairman BILL YOUNG and his colleagues, H.R. 2126 provides \$100 million to continue that important work. I was pleased the subcommittee was able to honor the request that we in the New York delegation made for this vital research.

There is no question about the seriousness of this disease; 2.6 million women are living with breast cancer today. Thousands more will

be diagnosed with and will die from breast cancer this year. While we are beginning to make progress in understanding the disease, we have yet to learn how it is caused, how it is cured, and what means there are for prevention. Our fight cannot stop now.

With the increase in the number of women in the military, the need to address their health concerns, as well as those of women dependents of military personnel, continues to grow.

The Department of the Army's program has proved to be both efficient and effective, attracting more than 3,000 new proposals in the field of breast cancer research since the allocation of funding in fiscal year 1992. As a result, 460 of the most innovative proposals have received funding.

As there is still much research to be done, it is essential that this program continue. On behalf of the 2.6 million women with breast cancer, I thank the subcommittee for continued funding for breast cancer research and encourage my colleagues to support this essential program.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in strong support of the amendment being offered today by my colleague, Representative ROSA DELAULO. Her amendment would ensure that U.S. servicewomen and military dependents stationed overseas have access to safe, quality health care services.

An amendment being offered today by Congressman BOB DORNAN would prevent American servicewomen from exercising their legal right to an abortion. This would single out women who serve in the military overseas for a specific, unfair restriction by prohibiting overseas Department of Defense military facilities from providing privately funded abortions.

Mr. Chairman, American women have the right to obtain abortions in this country. Shouldn't American military women who are serving this country overseas have this same right? Especially if they pay for the abortion with their own money? To establish such a ban is grossly unfair and unjustifiable.

Without the DeLauro amendment, H.R. 2126 could drive women into desperate situations in which they would have to seek abortions from unsafe or unsanitary hospitals in foreign countries. Clearly, a pregnant woman is the one and only person who knows what is best for her, and she, in consultation with her family, doctor, and/or clergy, is the one who should make decisions affecting her body, her health, and her life.

I strongly support the DeLauro amendment and urge my colleagues to do the same.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. LAHOOD] having assumed the chair, Mr. SENSENBRENNER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2126) making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, pursuant to House Resolution 205, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

An amendment striking sections 8021 and 8024 is considered as adopted.

Pursuant to House Resolution 205, is a separate vote demanded on any other amendment?

Mr. SKAGGS. Mr. Speaker, I demand a separate vote on the so-called Schroeder amendment number 85.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 94, after line 3, insert the following:

SEC. 8107. (a) LIMITATIONS ON THE USE OF FEDERAL FUNDS BY CONTRACTORS FOR POLITICAL ADVOCACY.—None of the funds made available by this Act may be used by any Federal contractor for an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Carrying on propaganda, or otherwise attempting to influence Federal, State, or local legislation or agency action, including any of the following:

(A) Monetary or in-kind contributions, endorsements, publicity, or similarly activity.

(B) Any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or any segment thereof, including any communication between the contractor and an employee of the contractor to directly encourage such employee to urge persons other than employees to engage in such an attempt.

(C) Any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any government official or employee who may participate in the formulation of the legislation or agency action, including any communication between the contractor and an employee of the contractor to directly encourage such employee to engage in such an attempt or to urge persons other than employees to engage in such an attempt.

(2) Participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including monetary or in-kind contributions, endorsements, publicity, or similar activity.

(3) Participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the contractor or potential contractor is a defendant appearing in its own behalf; is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that contractor or potential contractor.

(4) Allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(b) LIMITATIONS ON USE OF FEDERAL FUNDS TO AWARD CONTRACTS.—None of the funds made available by this Act may be used to award a contract when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeded the sum of—

(A) the first \$20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05; and

(B) the remainder of the difference calculated in subparagraph (A), multiplied, by .01;

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include any activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of non-partisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees, other than communications described in subparagraph (C).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

Mr. SKAGGS (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. SKAGGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 238, not voting 14, as follows:

[Roll No. 645]

#### AYES—182

Abercrombie	Frisa	Nethercutt
Ackerman	Furse	Ney
Barcia	Ganske	Oberstar
Barrett (WI)	Gephardt	Obey
Becerra	Geren	Olver
Beilenson	Gibbons	Orton
Bilbray	Gilchrest	Owens
Bilirakis	Gillmor	Payne (NJ)
Blute	Gilman	Pelosi
Borski	Goodling	Peterson (SD)
Boucher	Gordon	Johnson (E.B.)
Brewster	Goss	Johnson, Sam
Brown (CA)	Greenwood	Jones
Brown (FL)	Gutierrez	Kaptur
Brown (OH)	Gutknecht	Kennedy (RI)
Brownback	Hall (TX)	Kennelly
Burr	Hastert	Kim
Camp	Heineman	King
Castle	Hilleary	Kingston
Chabot	Hinchey	Knollenberg
Chenoweth	Hoekstra	LaHood
Christensen	Holden	LaTourette
Clay	Hutchinson	Laughlin
Clement	Jacobs	Levin
Coble	Johnston	Lewis (CA)
Coburn	Kanjorski	Lewis (KY)
Collins (IL)	Kasich	Lightfoot
Collins (MI)	Kelly	Linder
Combest	Kennedy (MA)	Livingston
Condit	Kildee	Schroeder
Conyers	Klecza	Lofgren
Costello	Klink	Lucas
Coyne	Klug	Martinez
Creameans	Kolbe	Matsui
Cubin	LaFalce	McCollum
Danner	Lantos	McCrery
Dellums	Largent	McDade
Dickey	Latham	McHale
Doggett	Lazio	McHugh
Doyle	Leach	McInnis
Duncan	Lewis (GA)	McIntosh
Dunn	Lincoln	McKeon
Durbin	Lipinski	McNulty
Ehlers	LoBiondo	Meek
Engel	Longley	Thornton
English	Lowe	Thurman
Ensign	Luther	Traficant
Evans	Manton	Upton
Farr	Manzullo	Velazquez
Fattah	Markley	Vento
Fawell	Martini	Volkmer
Fields (LA)	Mascara	Waters
Filner	McCarthy	Weldon (FL)
Flake	McDermott	Weller
Foglietta	Meehan	Whitfield
Foley	Metcalfe	Wise
Forbes	Meyers	Woolsey
Ford	Mfume	Wyden
Fox	Miller (FL)	Wynn
Frank (MA)	Mink	Zeliff
Franks (NJ)	Molinari	Zimmer

#### NOES—238

Allard	Callahan	Emerson
Andrews	Calvert	Eshoo
Archer	Canady	Everett
Armey	Cardin	Ewing
Bachus	Chambliss	Fazio
Baesler	Chapman	Fields (TX)
Baker (CA)	Chrysler	Flanagan
Baker (LA)	Clayton	Fowler
Baldacci	Clinger	Franks (CT)
Ballenger	Clyburn	Frelinghuysen
Barr	Coleman	Frost
Barrett (NE)	Collins (GA)	Funderburk
Bartlett	Cooley	Gallegly
Barton	Cox	Gejdenson
Bass	Cramer	Gekas
Bateman	Crane	Gonzalez
Bentsen	Crapo	Goodlatte
Bereuter	Cunningham	Graham
Berman	Davis	Green
Bevill	de la Garza	Gunderson
Bliley	Deal	Hall (OH)
Boehlert	DeLauro	Hamilton
Boehner	DeLay	Hancock
Bonilla	Deutsch	Hansen
Bonior	Diaz-Balart	Harman
Bono	Dicks	Hastings (FL)
Browder	Dixon	Hastings (WA)
Bryant (TN)	Dooley	Hayes
Bryant (TX)	Doolittle	Hayworth
Bunn	Dornan	Hefley
Bunning	Dreier	Hefner
Burton	Edwards	Herger
Buyer	Ehrlich	Hilliard

Hobson	Menendez	Shuster
Hoke	Mica	Skaggs
Horn	Miller (CA)	Skeen
Hostettler	Mineta	Skelton
Houghton	Minge	Smith (MI)
Hoyer	Mollohan	Smith (NJ)
Hunter	Montgomery	Smith (TX)
Hyde	Moorhead	Solomon
Inglis	Moran	Souder
Istook	Murtha	Spence
Jackson-Lee	Myers	Spratt
Jefferson	Myrick	Stearns
Johnson (CT)	Nadler	Stenholm
Johnson (SD)	Neal	Stump
Johnson, E.B.	Norwood	Talent
Johnson, Sam	Nussle	Tanner
Jones	Ortiz	Tauzin
Kaptur	Oxley	Taylor (MS)
Kennedy (RI)	Packard	Taylor (NC)
Kennelly	Pallone	Tejeda
Kim	Parker	Thomas
King	Pastor	Thompson
Kingston	Paxon	Tornberry
Knollenberg	Payne (VA)	Tiahrt
LaHood	Peterson (FL)	Torkildsen
LaTourette	Peterson (MN)	Torres
Laughlin	Pickett	Torricelli
Levin	Pombo	Visclosky
Lewis (CA)	Pomeroy	Vucanovich
Lewis (KY)	Portman	Walker
Lightfoot	Quillen	Walsh
Linder	Quinn	Wamp
Livingston	Richardson	Ward
Schroeder	Rivers	Watt (NC)
Lofgren	Roemer	Watts (OK)
Lucas	Rogers	Waxman
Martinez	Ros-Lehtinen	Weldon (PA)
Matsui	Rose	White
McCollum	Roth	Wicker
McCrery	Sabo	Williams
McDade	Sawyer	Wilson
McHale	Saxton	Wolf
McHugh	Schaefer	Yates
McInnis	Schiff	Young (AK)
McIntosh	Scott	Young (FL)
McKeon	Serrano	
McNulty	Shadegg	
Meek		

#### NOT VOTING—14

Bishop	Moakley	Sisisky
DeFazio	Morella	Towns
Dingell	Radanovich	Tucker
Maloney	Reynolds	Waldholtz
McKinney	Roberts	

#### □ 1824

Mr. YATES and Mr. TORRES changed their vote from "aye" to "no."

Messrs. HUTCHINSON, WELLER, FOX of Pennsylvania, HASTERT, BILBRAY, CHRISTENSEN, WHITFIELD, GOSS, CREMEANS, ORTON, HILLEARY, HEINEMAN, FRISA, GILLMOR, SALMON, BLUTE, LARGENT, and ENGLISH of Pennsylvania changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, I missed rollcall 645. I was unavoidably detained, and had I been present, I would have voted "aye."

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. Yes, I am, Mr. Speaker.